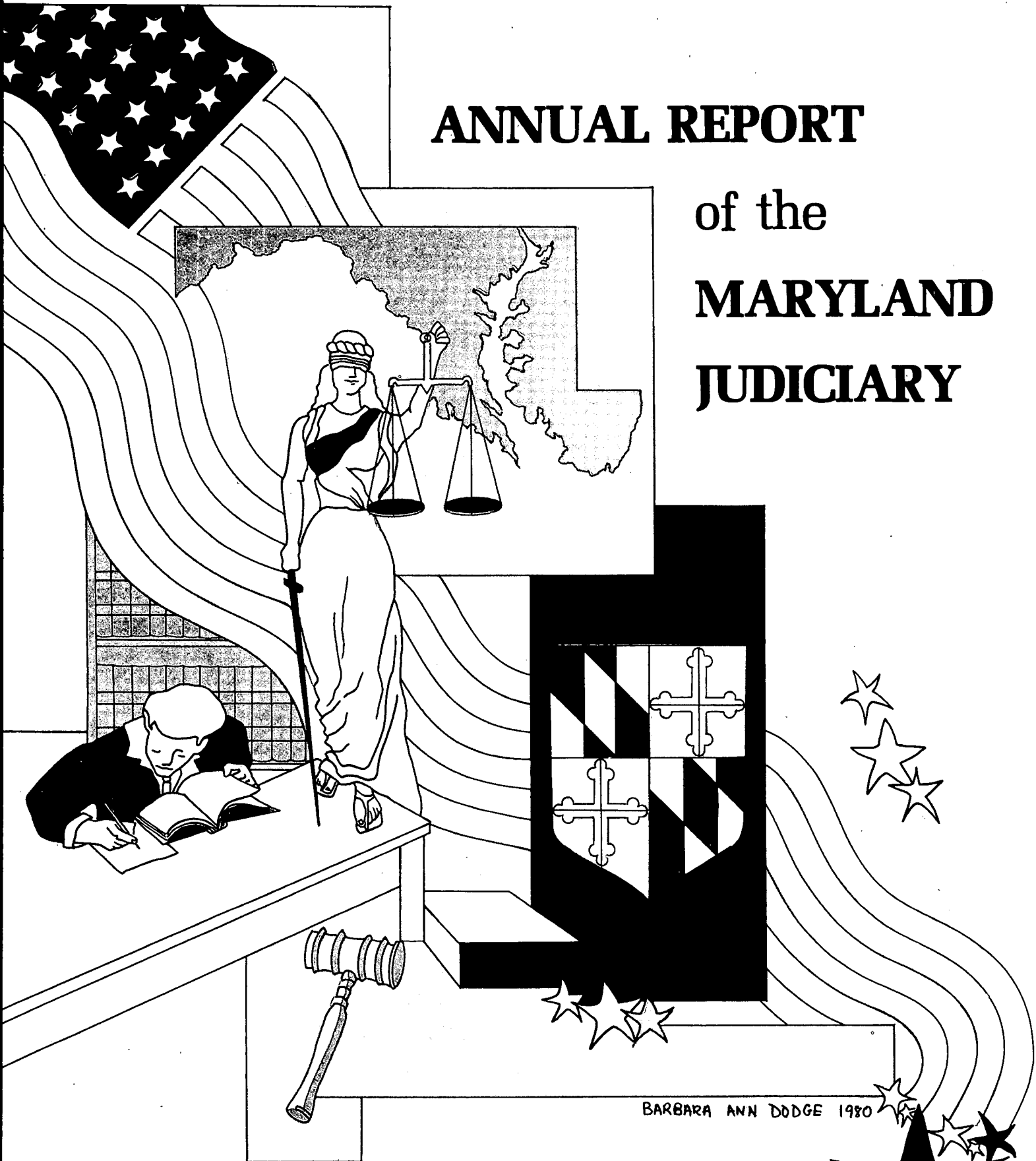


ANNUAL REPORT

of the MARYLAND JUDICIARY



BARBARA ANN DODGE 1980

1979-1980
COURT LIBRARY CIRCUIT COURT
PRINCE GEORGE'S COUNTY
UPPER MARLBORO, MARYLAND

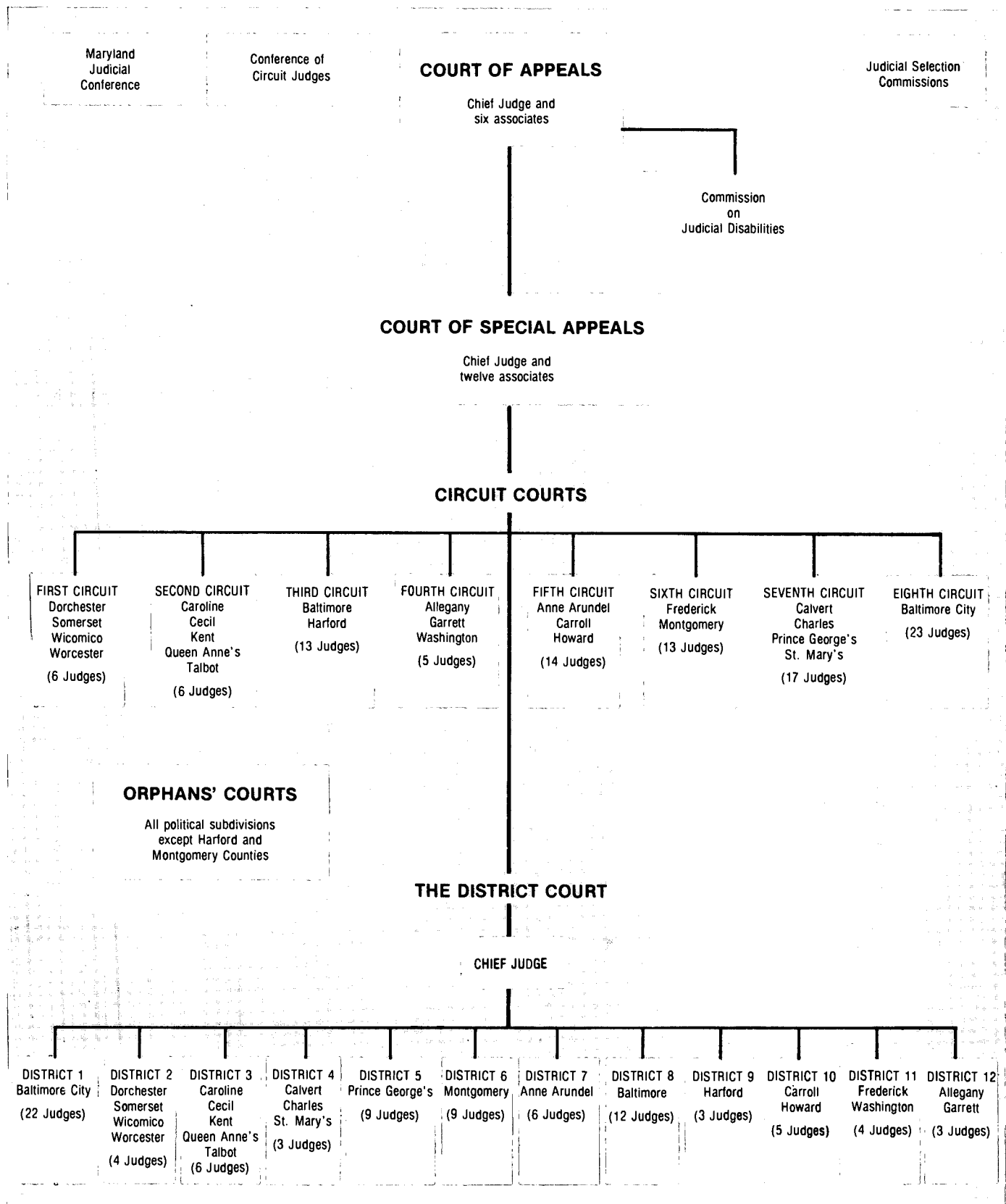
Annual Report of the Maryland Judiciary 1979-1980

Report prepared by the
Judicial Planning, Research and Special Projects Unit
Editor-Deborah A. Unitus

Contents

Letter of Transmittal	iii	Circuit Court Administration	14
Introduction	iv	District Court Administration	15
Judicial Revenues and Expenditures	1	Assignment of Judges	16
The Maryland Courts	4	Court Related Units	18
The Court of Appeals	4	Board of Law Examiners	18
The Court of Special Appeals	5	Rules Committee	19
The Circuit Courts	6	State Law Library	20
The District Court	8	Attorney Grievance Commission	20
Judicial Administration	10	Clients' Security Trust Fund	21
Administrative Office of the Courts	10	Judicial Conferences	22
Judicial Planning, Research and Special Projects	12	The Maryland Judicial Conference	22
Judicial Information Systems	12	Conference of Circuit Judges	23
Judicial Personnel, Education and Training Services	12	Appointment, Discipline, and Removal of Judges	25
Judicial Budget and Purchasing Services	13	Judicial Nominating Commissions	25
Statistical Auditing Project	13	Removal and Discipline of Judges	27
Sentencing Guidelines Project	13	The Commission on Judicial Disabilities	27
Liaison with the Legislative and Executive Branches	13	Remarks of Chief Judge Robert C. Murphy to the Maryland State Bar Association	29
Administrative Conference	13	1980 Legislation Affecting the Courts	33
		Judicial Maps and Members of the Judiciary	36

THE MARYLAND JUDICIAL SYSTEM



Letter of Transmittal

It is a pleasure to present the fourth Annual Report of the Maryland Judiciary, which includes the twenty-fifth Annual Report of the Administrative Office of the Courts, as required by Section 13-101(b) (9) of the Courts Article. The Report covers Fiscal 1980, beginning July 1, 1979, and ending June 30, 1980.

The Report is in two volumes. Volume 1 treats the funding, functions, workload, and programs of the court system in overview fashion, highlighted by graphics. It is intended for broad general circulation to Judiciary and other governmental officials and employees and also to citizens of the State interested in Maryland's judicial system.

Volume 2 is a statistical abstract designed more for the analyst, student, or court administrator. This volume contains data providing detailed support for much of the material in Volume 1.

Although the Report has been prepared in the Judicial Planning, Research, and Special Projects Unit of the Administrative Office of the Courts, and edited by a member of that unit, many individuals have contributed to and participated in its preparation. These include the Chief Judge of the Court of Appeals, the Chairman of the Conference of Circuit Judges, the Chief Judge of the District Court, the Deputy State Court Administrator, all unit directors,

deputy directors, and assistant directors in the Administrative Office, project directors, the clerks of the two appellate courts, the chief clerk and other staff of the District Court Headquarters, circuit and local administrators, and other staff members of the Administrative Office.

The statistics on which much of the Report is based have been provided through the efforts of the clerks of the circuit courts for the counties and of the courts of the Supreme Bench of Baltimore City through the Judicial Information Systems Unit. The quality of these statistics and the value of the information supplied is continually increasing thanks to the cooperative efforts of the Information Systems Unit, the Statistical Auditing Project, and the clerks themselves.

I take this opportunity of publicly acknowledging the invaluable assistance of all who have contributed to the preparation of this Report. I hope it will provide enhanced understanding of the operations and role of the Judicial Department of Maryland.



William H. Adkins, II
State Court Administrator

Introduction

In the 1979 *Annual Report of the Maryland Judiciary*, I identified a number of fundamental concerns and policy issues bearing upon the administration of justice in this State. In each of these areas, there have been developments during Fiscal 1980, and I should like to review some of them briefly.

Improved Court Structure

A year ago I emphasized the importance of consolidation of the Supreme Bench of Baltimore City. It is most gratifying to be able to report that by virtue of the leadership of Governor Hughes and key legislators, and with the effective support of bar leaders and many members of the Judiciary and others, Constitutional amendments and implementing legislation were enacted at the 1980 session of the General Assembly to establish a single Circuit Court for Baltimore City. Should the voters respond favorably to these vital Constitutional proposals, an objective sought for decades will come to fruition on January 1, 1983. The result should be improved administration and greater effectiveness in our busiest trial court of general jurisdiction.

Criminal Caseload

When *State vs. Hicks*, 285 Md. 310, 334 (1979) was decided, much concern was expressed about the possibility that the decision's emphasis on expeditious movement of serious criminal cases would result in dismissal of many prosecutions for failure to meet time deadlines. Instead, judges, prosecutors, defense counsel, and court administrators rose to meet the challenge of *Hicks*. The consequence has been enhanced processing of criminal cases while maintaining proper concern for the due process owed each litigant in our courts, and for the concerns of victims and the general public in our criminal justice system. In this connection, it is interesting to note that while criminal and juvenile filings on a State-wide basis remained almost stable in Fiscal 1980 as compared to Fiscal 1979, the criminal termination rate increased by 15.3 percent and the juvenile termination rate increased by 22.2 percent, as compared to last year. While these figures may in some degree reflect reduction of the inventory of "dead" cases, produced by improved statistical reporting, they also demonstrate the substantial efforts of judges and others in the criminal justice and

juvenile justice systems to process cases expeditiously.

Also in the area of criminal case processing, the Supreme Bench and the Administrative Office of the Courts, with the support of the Baltimore City administration, have begun an experiment with computer-aided transcription. This technique is designed to reduce delay by expediting the preparation of trial transcripts, a matter that has caused serious delays in appellate review.

Another aid to improved movement of the criminal dockets may come from Ch. 298, Laws of 1980. This legislation somewhat limits the common-law right to a jury trial in criminal cases in trial courts of general jurisdiction. The elimination of jury trials with respect to certain non-incarcerable offenses should provide less expensive, more rapid dispositions, without impinging on the demands of due process.

Judicial Compensation

It is also a pleasure to note that in 1980 the Governor and General Assembly responded favorably to the need to assure adequate compensation for judges. The statutory creation of a judicial compensation commission should do much to assure appropriate treatment of this matter on an on-going basis.

Personnel System for Non-Judicial Employees

At the 1980 legislative session, a bill was introduced to establish a merit personnel system for court employees whose compensation is appropriated in the State Judiciary budget. The bill passed the Senate but died in the House. This initial effort towards creation of an appropriate personnel system for State employees of the Judiciary produced much valuable information, and will provide the basis for continuing efforts in this regard.

Adequate Funding for the Court System as a Whole

In 1980, legislation was introduced to provide for full State funding of the circuit courts—the only segment of the Judicial Department presently not supported by State funding. This legislation was not pressed, and did not pass. However, the Governor's Task Force to Study State-Local Fiscal Relationships

has given consideration to this matter, and I understand that the Maryland Association of Counties has also expressed interest in it. This is consistent with activity in a number of our sister states, where there is an apparent trend towards state funding. The matter is a complex one, and deserves careful and continuing study.

Jury Management

The Montgomery County one day/one trial jury system continues to operate with apparent success, and other jurisdictions have instituted call-in procedures and reductions of terms of service for jurors. In addition, excellent juror orientation slide presentations have been adopted in many counties, often with technical assistance from the Administrative Office of the Courts. The Administrative Office has also aided counties in the Second Circuit and Washington County with the preparation of an improved juror qualification form.

Improved Methods of Judicial Selection

Near the end of Fiscal 1979, Governor Hughes issued a new Executive Order dealing with Judicial Nominating Commissions. In Fiscal 1980, these Commissions were substantially reconstituted and with new membership and improved procedures, have been performing an outstanding service. However, the problems produced by the political election process at the circuit court level remain, and have been well-illustrated by results of the 1980 primaries, in which three highly-qualified incumbent judges were defeated by challengers. Improvements in this system should be high on the action agenda for the future.

In general, I think it is fair to say that progress has been made in each of the specific areas identified in the 1979 Report. There have been other developments, as well.

For example, the Court of Appeals has responded to concerns regarding lay participation in governmental matters by adding lay members to the trustees of the Clients' Security Trust Fund and the Attorney Grievance Commission and some of its subunits. I believe that the addition of these lay members will provide a valuable new perspective on the matters considered by these agencies while at the same time improving public confidence in their operations.

Along similar lines of providing a judicial system more open to the public, the Court of Appeals gave careful study to the report of a Judicial Conference committee dealing with extended media coverage in the courts. Rules for the implementation of this concept are now being drafted and should come before the Court for consideration early in Fiscal 1981.

I have already noted the relative stability of criminal and juvenile filings on a State-wide basis in

Fiscal 1980 as compared to Fiscal 1979. This was also true on the equity side, although law filings in Fiscal 1980 increased by 18 percent. Unfortunately, law terminations increased by only 10.9 percent, but equity terminations increased by 20.6 percent, a substantial margin over the percentage increase in filings. Here, again, it is possible that some of the termination figures represent clearing out of dead wood through improved statistical reporting. At the District Court level, too, there have been some apparent trends, including a State-wide reduction in traffic cases accompanied by an offsetting increase in civil matters handled by that court.

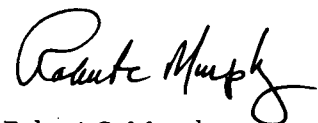
Of course, there are substantial regional variations from the state-wide figures, but these matters all have a bearing on the important problem of determining additional judgeship needs at the trial court levels during the 1981 General Assembly.

On the subject of caseload, it is important to observe dramatic developments in the Court of Special Appeals. From Fiscal 1976 to Fiscal 1978, that Court reported a slight reduction in filings. Between Fiscal 1978 and Fiscal 1979 there was a sharp upturn, amounting to an increase of just over 12 percent. Between Fiscal 1979 and Fiscal 1980, the increase grew even larger, amounting to 15.26 percent. Current figures suggest that the proportion of increase is continuing to grow.

It is a tribute to the Chief Judge of this Court and his hard-working associates that the Court has continued to process this ever-increasing number of cases in an effective and expeditious fashion. An increase in the Court's central professional staff and institution of the pre-hearing conference experiment early in Fiscal 1981 may assist in coping with this problem, but if the pattern of the last two years continues, other solutions may have to be sought.

One of the difficulties in addressing this matter has to do with identifying its causes. Substantial increases in filings are appearing in both the criminal and civil areas, and it is most difficult to pinpoint precisely why this is occurring. It may be that increases in termination rates, previously discussed, are part of the explanation. There also appears to be a national phenomenon of increased appellate litigation, somewhat disproportionate to the rate of trial litigation. I hope this brief review of developments in the Judicial Department in Fiscal 1980 will stimulate those both within and without the Judiciary to thoughtful consideration and innovative resolution of the challenges facing us.

In any event, this is another issue that demands attention in the coming year.



Robert C. Murphy
Chief Judge of the Court
of Appeals of Maryland

Judicial Revenues and Expenditures

During Fiscal 1980, State and local costs to support the operation of the judicial branch of government in Maryland were approximately \$58.7 million. For fiscal purposes, the judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts for the counties and the six courts comprising the Supreme Bench of Baltimore City; the District Court of Maryland; the clerks' offices or headquarters of these several courts; the Administrative Office of the Courts, including the Juvenile Clerk's Office in Baltimore City; State Board of Law Examiners; Standing Committee on Rules of Practice and Procedure of the Court of Appeals; Maryland State Law Library; Commission on Judicial Disabilities; Clients' Security Trust Fund; and the Attorney Grievance Commission. There are 204 judicial positions and approximately 2,700 nonjudicial positions in the judicial branch.

With respect to State (as opposed to local) appropriations, the judiciary budget, operating on a program budget concept, expended \$28,229,370 in the twelve month period ending June 30, 1980. Two programs fund the two appellate courts and their clerks' offices. One provides funds to pay the salaries and official travel costs of the circuit court judges. The largest program is the State-funded District Court which expended \$17,903,866 in Fiscal 1980, 63 percent of the total. The Maryland Judicial Conference program includes funds for continuing judicial education programs and conference committee activities. The Administrative Office of the Courts expended \$1,091,855, which includes funds to operate the Clerks' Office of the Juvenile Court in Baltimore City, with a staff of 27 personnel.

Beginning with Fiscal 1980, a new budget program was established to reflect expenditures for all State level supported electronic data processing and related services. Over the last several years there has been an increase in such expenditures as the judicial branch has attempted to provide more expeditious ways of processing cases in the courts of the State and more effective ways of gathering management information. Expenditures in this area previously had been reflected in the Administrative Office and District Court programs. Actual expenditures are reflected in the table on page 2.

The remaining programs provide funds to support the activities of the State Board of Law Examiners, Standing Committee on Rules of Practice and Procedure of the Court of Appeals, the State Reporter, the Commission on Judicial Disabilities

and the Maryland State Law Library. The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments against lawyers authorized to practice law in Maryland. These supporting funds are not included in the judicial budget.

The figures in the table on the following page reflect the growth of the State-funded judicial budget for Fiscal Years 1978-1980, which rose an average of 9.8 percent each year. The court-related revenues shown generally are remitted to the State's general fund and are not used to offset expenditures. In this same period, the entire State budget rose from approximately \$3.9 billion in Fiscal 1978 to approximately \$4.8 billion in Fiscal 1980 for an average growth of 10.9 percent in each year.

As can be seen from the illustrations, the State-funded judicial budget consumes only a tiny fraction of the total State budget, approximating seven-tenths of one percent.

Costs to operate the clerks' offices of the circuit courts for the counties and those of the Supreme Bench of Baltimore City are paid from filing fees, court costs, and commissions collected by these offices, with any deficiency paid by the State from a fund maintained by the State Comptroller. For Fiscal 1980, expenses approximating \$14.9 million were incurred while the fees, costs and commissions collected and retained approximated \$13.4 million with the result that a deficiency of about \$1.5 million was paid to these offices by the Comptroller from State funds.

With the exception of circuit court judges' salaries, their fringe benefits and official travel expenses, costs to operate the elected circuit court clerks' offices, and certain local expenses paid by the State through the Administrative Office of the Courts, the remaining costs to support the circuit/Supreme Bench court system are borne by Maryland's twenty-three counties and Baltimore City. In Fiscal 1980, appropriations by the political subdivisions approximated \$15.5 million. Court related revenues collected by the circuit courts from sources other than fines, forfeitures and appearance fees approximated \$700,000. These monies come from such sources as fees and charges in domestic relations matters and incentive payments by the federal government from the Aid to Families with Dependent Children Program. Fines, forfeitures, appearance fees (remitted for Bar Library purposes) and some court costs collected by the

STATE FUNDED JUDICIAL BUDGET			
REVENUES*			
Program	Actual FY 1978	Actual FY 1979	Actual FY 1980
Court of Appeals	\$ 24,115	\$ 22,371	\$ 25,983
Court of Special Appeals	31,725	31,478	37,531
State Board of Law Examiners	113,555	131,200	135,555
District Court	23,917,344	23,223,268	23,173,500 **
TOTAL	\$24,086,739	\$23,408,317	\$23,372,569
<p>*Revenues come from filing fees, fines, bail forfeitures and court costs remitted to the State's general fund and are not available to offset expenditures except for the special procedures concerning the payments to various sheriffs for serving process.</p> <p>**This is net revenue. The District Court expended \$1,563,647 in payments to various sheriffs for serving process. No funds were appropriated for this expenditure which was charged directly against revenues.</p>			
EXPENDITURES*			
Program	Actual FY 1978	Actual FY 1979	Actual FY 1980
Court of Appeals	\$ 722,653	\$ 749,270	\$ 819,569
Court of Special Appeals	1,250,847	1,280,820	1,389,199
Circuit Courts & Supreme Bench	3,683,128	3,982,575	4,368,567
District Court	15,650,444	17,042,342	17,903,866
Maryland Judicial Conference	36,748	38,448	52,742
Administrative Office of the Courts	1,676,039	1,733,105	1,091,855
Court Related Agencies	376,213	419,156	427,976
Maryland State Law Library	— **	153,957	171,778
Judicial Data Processing	—	—	2,003,818 ***
TOTAL	\$23,396,072	\$25,399,673	\$28,229,370
<p>*Expenditures are paid from annual appropriations by the legislature to the judiciary budget.</p> <p>**The Maryland State Law Library was transferred from the executive branch to the judicial branch in FY 1979.</p> <p>***Data Processing expenditures were in the budget of the Administrative Office of the Courts and the District Court in FY 1978 and FY 1979.</p>			

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The chart illustrating the contribution by the State, the clerks' offices and the political subdivisions to support the judicial branch shows that the State portion accounts for approximately 48 percent of all costs while the clerks' offices and the local subdivisions account for 26 percent each.

Many reasons contribute to the growth of the State-funded judicial budget. The factors include but are not limited to inflation, salary adjustments to all State employees, incremental pay increases, assumption of federal grants, expansion of important programs, additional non-judicial personnel, and legislation creating additional judgeships.

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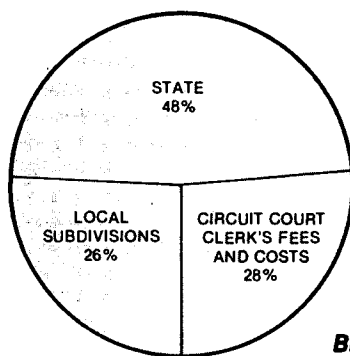
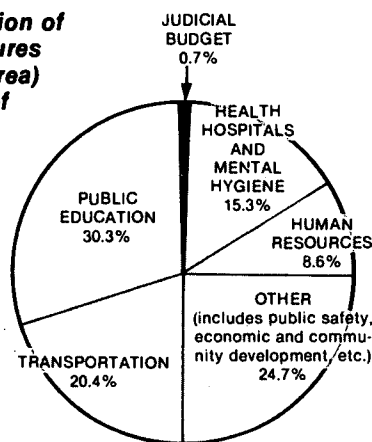
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State funded portion of Judicial expenditures (shown as solid area) as a percentage of total state expenditures in Fiscal 1980



Source of funding to support the Judicial Branch of Government

Judicial Branch Personnel in Profile

Judicial Personnel	204
Non-Judicial Personnel	
Appellate Courts	66
District Court	809
Administrative Office of the Courts (27 in Juvenile Court Clerk's Office in Baltimore City)	99
Court Related Agencies	33
(Includes staff to the State Board of Law Examiners, Standing Committee on Rules of Practice and Procedure, State Law Library, Attorney Grievance Commission and State Reporter)	
Clerks' Offices—Circuit Courts	901
Circuit Courts—Local	745
	<hr/> 2857



The Maryland Courts

The Court of Appeals

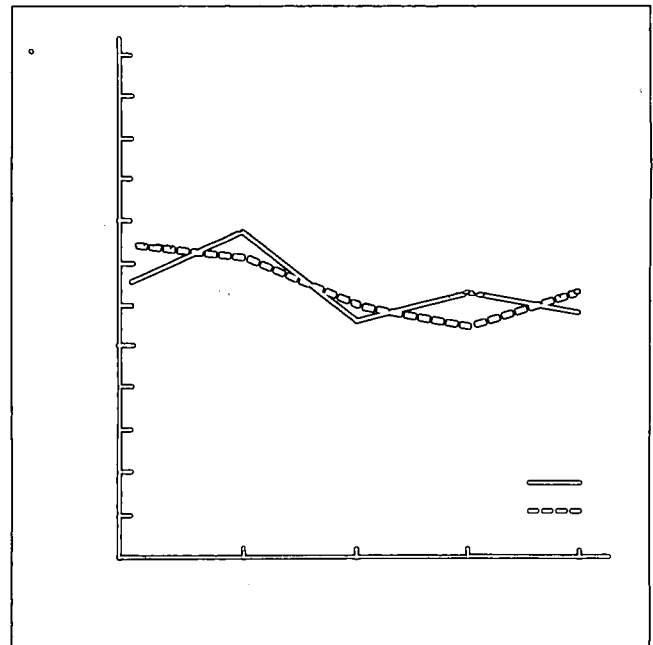
The Court of Appeals of Maryland is the highest tribunal in the State of Maryland and was created by the Constitution of 1776. In the early years of its existence, the Court met at various locations within the State, but since 1851 has sat only in Annapolis.

The Court is presently composed of seven members, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). Members of the Court, after initial appointment by the Governor, and confirmation by the Senate, run for office on their records, without opposition. If the voters reject the retention in office of a judge, or if the vote is tied, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge is retained in office for a ten year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

By legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari. As a result, its formerly excessive caseload has been reduced to a manageable level so as to allow it to devote its efforts to the most important and far-reaching decisions. At present the Court may review a case decided by the Court of Special Appeals or may bring up for review cases filed in that court before they are decided there. The Court of Appeals may also review certain decisions rendered at the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice and procedure, which have the force of law. It also admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners and conducts disciplinary proceedings involving members of the bench and bar.

The Court of Appeals had 207 appeals on its regular docket for consideration during the Fiscal Year, July 1, 1979 through June 30, 1980. Forty of those appeals (19.36 percent) were matters pending from the 1978 term docket that had been heard by the Court during the previous fiscal year (1979) but in which opinions had not been filed as of June 30, 1979. The balance of the 207 appeals were from the 1979 docket. One hundred and twenty of these cases were reached leaving a balance at the end of the 1980 Fiscal Year of 47 cases. The Court of Appeals

thus disposed of 160 appeals during Fiscal 1980, approximately 17.64 percent (24 cases) more than Fiscal 1979. Of the 160 disposed appeals, 147 were considered and decided, two were transferred to the Court of Special Appeals and 11 were dismissed prior to argument. A total of 140 majority opinions were filed by the Court during Fiscal 1980, 123 of which were reported. Members of the Court also filed one concurring opinion, and 13 dissenting opinions. Appeals on the 1979 term docket averaged 3.7 months from docketing to argument and 2.8 months from argument until decision. The Court also granted 121 of the 495 petitions for the issuance of Writs of Certiorari that it considered. In addition to its regular duties, the Court admitted 703 persons to the practice of law, conducted 24 disciplinary proceedings involving members of the bar, and considered issues of the moral character of applicants for admission to the bar. The Court also expended much time and effort in exercising its rule-making functions during 1979-80, and in supervising the budget and other activities of the Attorney Grievance Commission.



Court of Appeals—Appeals actually filed and terminated within fiscal year

The Court of Special Appeals

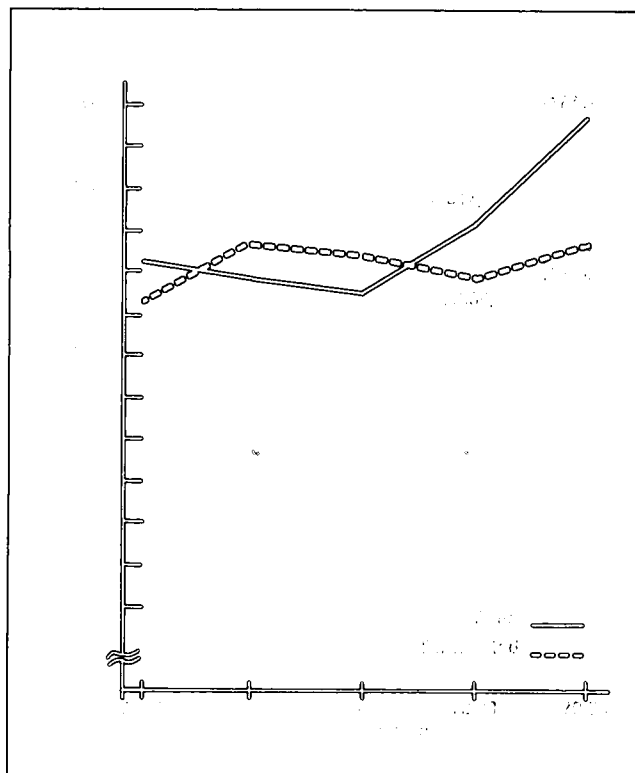
The Court of Special Appeals is Maryland's intermediate appellate court and was created in 1966 as the result of an increasingly overwhelming caseload in the Court of Appeals which had caused that court to develop a substantial backlog.

The Court of Special Appeals sits in Annapolis and, although it was originally composed of five judges, now consists of 13 members. One member of the Court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit. The remaining six judges are elected from the State-at-large. Members of the Court of Special Appeals are initially appointed by the Governor, confirmed by the Senate and thereafter run on their records, without formal opposition, and are elected to a ten-year term of office in the same manner as are members of the Court of Appeals. The Chief Judge of the Court of Special Appeals is designated by the Governor.

The Court of Special Appeals, except as otherwise provided by law, has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed as of right from the circuit courts. Judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, and inmate grievances.

During the Fiscal year July 1, 1979, through June 30, 1980, the Court of Special Appeals had 1,830 regular appeals before it for consideration. One hundred and fifty-nine of those were from the 1978 Term docket and had been heard during the previous fiscal year, but had not been disposed of by opinion due to the short period of time between hearing and the close of the fiscal year. An additional 1,671 were filed on the 1979 Term docket, representing an increase over the previous term by 15.26 percent.

By the close of the 1980 Fiscal Year, the Court had disposed of 1,473 appeals (7.59% more than the previous year) and had 357 cases pending. All of the pending matters had been argued before the Court, but some were not disposed of by opinion due to the shortness of time before hearing and the close of the fiscal year. Of the 1,473 dispositions, 1,082 were actually considered by the Court with the balance being either transferred to the Court of Appeals for that court's consideration (50), dismissed prior to argument (340) or stayed (1). The average appeal was argued in 5.7 months after docketing and was disposed of by way of an opinion being filed in an additional 0.9 month.



**Court of Special Appeals—Appeals
actually filed and terminated within fiscal year**

In disposing of its caseload, the Court of Special Appeals filed a total of 1,061 majority opinions, 218 (20.5%) of which were reported. Members of the Court also filed 3 dissenting opinions and 5 concurring opinions. The Court also disposed of 105 applications for leave to appeal (10 of which were granted) and 30 miscellaneous matters.

It is noteworthy that filings in this Court are once again increasing dramatically after a period of relative stability that ended in Fiscal 1978. Between docket years 1975 and 1978, the Court averaged close to 1,400 cases yearly. Beginning in docket year 1979, this volume increased to the high 1600's (1,671) and thus far in docket year 1980, the workload is 15 to 20 percent higher than 1979, meaning the Court could be shortly experiencing a volume of 2,000 cases a year. In view of this, it is understandable that dispositions are somewhat less than filings (80.5% for Fiscal 1980 compared to 89.6% for Fiscal 1979) and that there were more pending cases at the end of Fiscal 1980 than Fiscal 1979 (357 to 159). In face of this increasing workload, it is remarkable that the Court has been able to maintain its customary rapid rate of disposition, still holding the time from argument to final decision to under one month.

The Circuit Courts

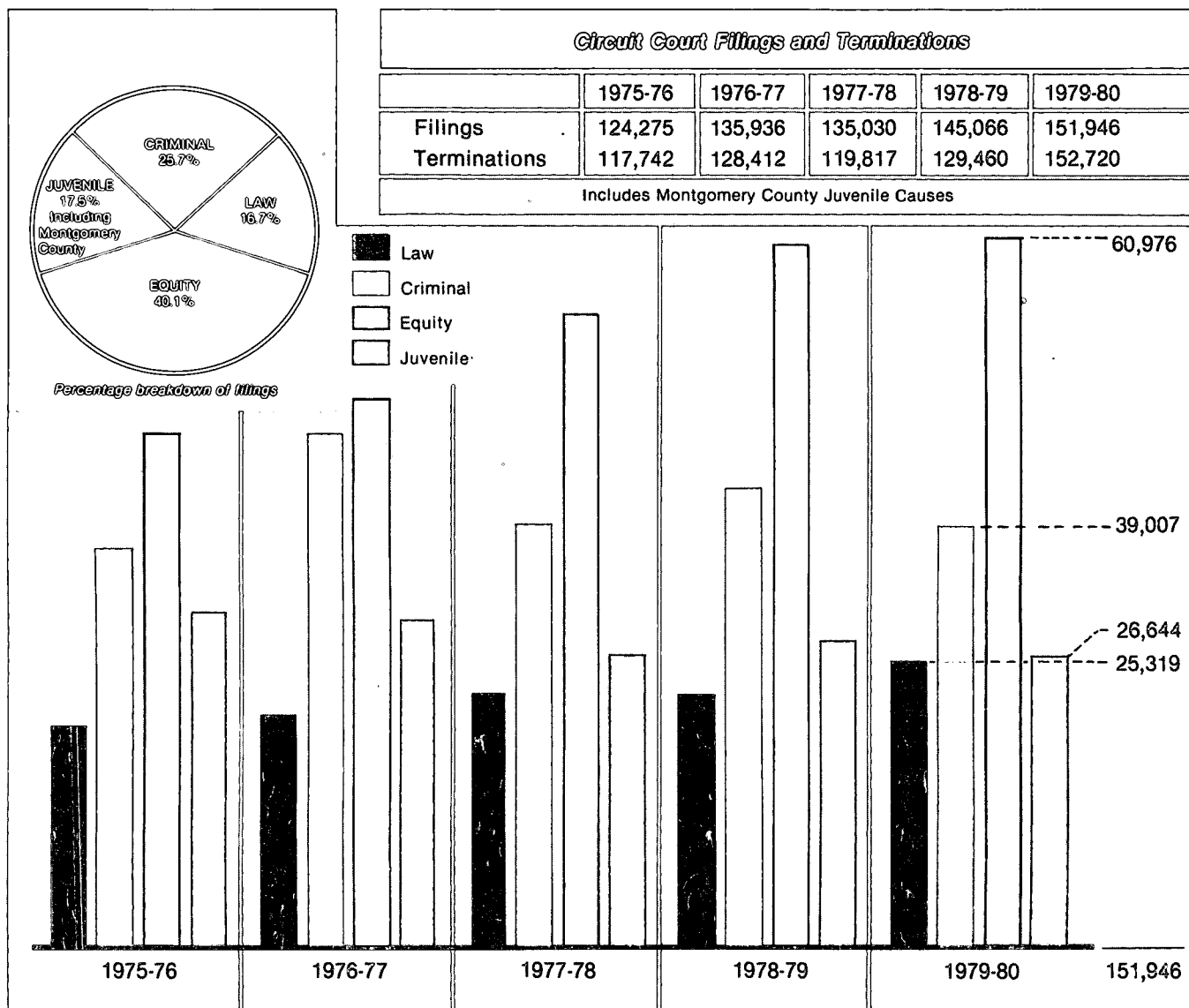
The circuit courts are the highest common-law and equity courts of record exercising original jurisdiction within the state. Each has full common-law and equity powers and jurisdiction in all civil and criminal cases within its county, and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred exclusively upon another tribunal.

In each county of the State, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and the more serious

criminal matters. The circuit courts also decide appeals from the District Court and from certain administrative agencies.

These courts are grouped into eight geographical circuits. Each of the first seven contains two or more counties. The Eighth Judicial Circuit consists of Baltimore City. Judges of that circuit are appointed to the Supreme Bench of Baltimore City. The Supreme Bench is composed of six courts; separately, each of the courts exercises varying degrees of overlapping or separate jurisdiction in relation to the others. Collectively, however, these courts act as one county circuit court.

Presently, there are 97 circuit court judges (23 of them on the Supreme Bench), with at least one judge



Circuit Court—Filings by Fiscal Year

for each county. Unlike the other three levels of courts in Maryland, there is no chief judge for the circuit courts; instead, eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals perform administrative duties in each of their respective circuits, with the aid of county administrative judges.

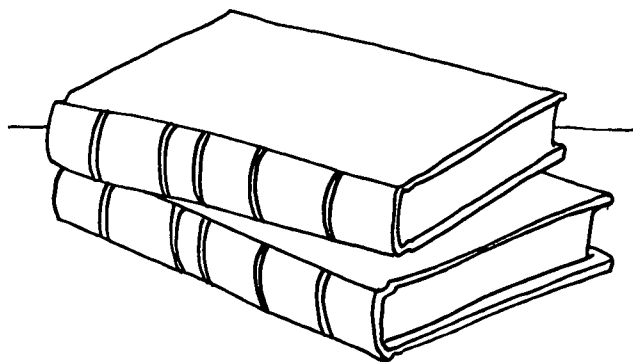
Each circuit judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar, with the successful candidate being elected to a fifteen-year term of office.

Trends

Over the past five fiscal years, filings in the four major categories of law, equity, criminal and juvenile, have increased 22.3 percent in the State for an average of 4.5 percent each year (124,275 total filings in Fiscal 1976 compared to 151,946 total filings in Fiscal 1980). These figures include juvenile causes filed in the District Court for Montgomery County. The overall growth rate is largest in the Fifth Circuit (37.1 percent) followed by the Fourth Circuit (31.0 percent) and the First Circuit (28.7 percent). It is worthwhile noting that both Carroll and Howard Counties in the Fifth Circuit show high population expansions for this period. Other circuits illustrated the following rates of increment: Second Circuit (27.3 percent), Seventh Circuit (26.0 percent), Third Circuit (21.3 percent), Eighth Circuit (18.1 percent), and the Sixth Circuit (11.2 percent).

According to population figures gathered by the Maryland Center for Health Statistics of the Department of Health and Mental Hygiene, the population in the State increased by a mere 2.5 percent from July 1, 1975 to July 1, 1980. The population figures in the major jurisdictions rose by the following amounts for the same period: Anne Arundel County (11.2 percent), Baltimore County (1.1 percent), and Montgomery County (3.6 percent). Baltimore City registered a 9.2 percent drop in population and Prince George's County a 1.6 percent decline. Other large increases were recorded for the following counties: Howard County (33.3 percent); Calvert County (26.2 percent); Queen Anne's County (20.0 percent); Carroll County (19.6 percent); Charles County (19.6 percent); Frederick County (15.6 percent); and Harford County (14.1 percent).

Although the population is decreasing per judge on a statewide basis, the number of civil and criminal cases filed per judge is rising. The average population per judge in Fiscal 1980 was 45,539 based on a State population of 4,223,300 and 97 judges. In Fiscal 1976, this figure was 48,888 per judge and there were 85 circuit court judges with 1,068 civil and 397 criminal cases filed per judge. This year



there were 1,540 civil cases and 402 criminal cases filed per judge. Statewide there were 26 civil and 9 criminal cases filed for every one thousand people. See Tables CC-27, CC-28, and CC-29 in the Statistical Abstract for more detail.

Equity filings have climbed the highest of all four case categories, 40.4 percent over the past five fiscal years for an average of 8.1 percent each year. In the five major jurisdictions of Anne Arundel County, Baltimore County, Montgomery County, Prince George's County and Baltimore City, the largest rise in equity filings was found in Anne Arundel County where filings rose 61.0 percent in five years. During the same period the other jurisdictions recorded growth rates of: Prince George's County (49.2 percent), Baltimore City (40.5 percent), Montgomery County (24.0 percent), and Baltimore County (10.4 percent). The Fifth Circuit documented its growth rate by showing a 64.0 percent rise in equity filings over the past five years. The First Circuit and the Seventh Circuit followed with 56.1 percent and 47.4 percent, respectively.

The number of law cases filed has inflated steadily to 35.2 percent over the past five fiscal years for an annual rate of 7.0 percent. When case filings are compared, Anne Arundel County shows a huge 105.1 percent amplification over its filings just five years ago. To a lesser extent but still a rather large spurt of activity is marked by Baltimore County (37.2 percent) and Prince George's County (33.7 percent). Baltimore City recorded a 21.7 percent climb in its recorded filings while Montgomery County marks a 18.0 percent growth rate.

Statewide criminal case filings have only grown 15.6 percent in five years for an average of 3.1 percent a year. The Fourth Circuit marked a 27.4 percent rise in filings; the majority resulting from a 257 case increase in Washington County. A 26.8 percent increase was found in the Seventh Circuit but Prince George's County was only responsible for an 11.0 percent increase in five years compared to Charles County where criminal case filings grew at an alarming rate of 124.0 percent.

The Third Circuit registered a 23.2 percent growth rate for this period and Baltimore County showed a 23.9 percent increase. Baltimore City marked the period with a 20.5 percent rise in criminal filings. Anne Arundel County and Montgomery County declined by 22.0 and 11.5 percent respectively.

Juvenile causes filed in the State courts actually fell 6.1 percent over the past five years. This includes those juvenile causes filed in the District Court for Montgomery County. Most circuits registered the decrease whereas the Second Circuit showed a 19.7 percent rise and the Third Circuit a 14.9 percent upward curve. Talbot and Cecil Counties showed the most growth in the Second Circuit while Baltimore County was responsible for the greatest increase in the Third Circuit. The other major jurisdictions of Anne Arundel County, Montgomery County, Prince George's County, and Baltimore City illustrated declines in their rates.

Generally, the average ratio of filings to terminations falls anywhere between 75 and 95 percent. This year the terminations as a percentage of filings was 100.5 because a new statistical record collection was implemented. Many unreported terminations were reported in the 1979-80 period so that the new system could be as reflective as possible of the existing balance as of July 1, 1980.

The average number of days from filing to trial or hearing has remained relatively stable over the past several years in the four categories of law, equity, criminal and juvenile.

Average days from filing to disposition have also stayed in the same general range especially the law and criminal rates. Equity illustrates a small increase of 49 days to 285 this year compared to the 236 recorded last year. The 97 days in the juvenile category is a difference of 26 compared to the 71 days recorded last year.

In many instances, the five major jurisdictions of Baltimore County, Anne Arundel County, Prince George's County, Montgomery County and Baltimore City no longer are responsible for all of the growth rate in the circuit court filings. Other fringe counties are showing marked growth rates in population and the number of recorded filings in the categories of law, equity, criminal and juvenile. By the close of Fiscal 1982 (June 30, 1982), it is expected that the circuit courts will record more than 165,000 cases and the increasing trend is expected to continue.

The District Court

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969.

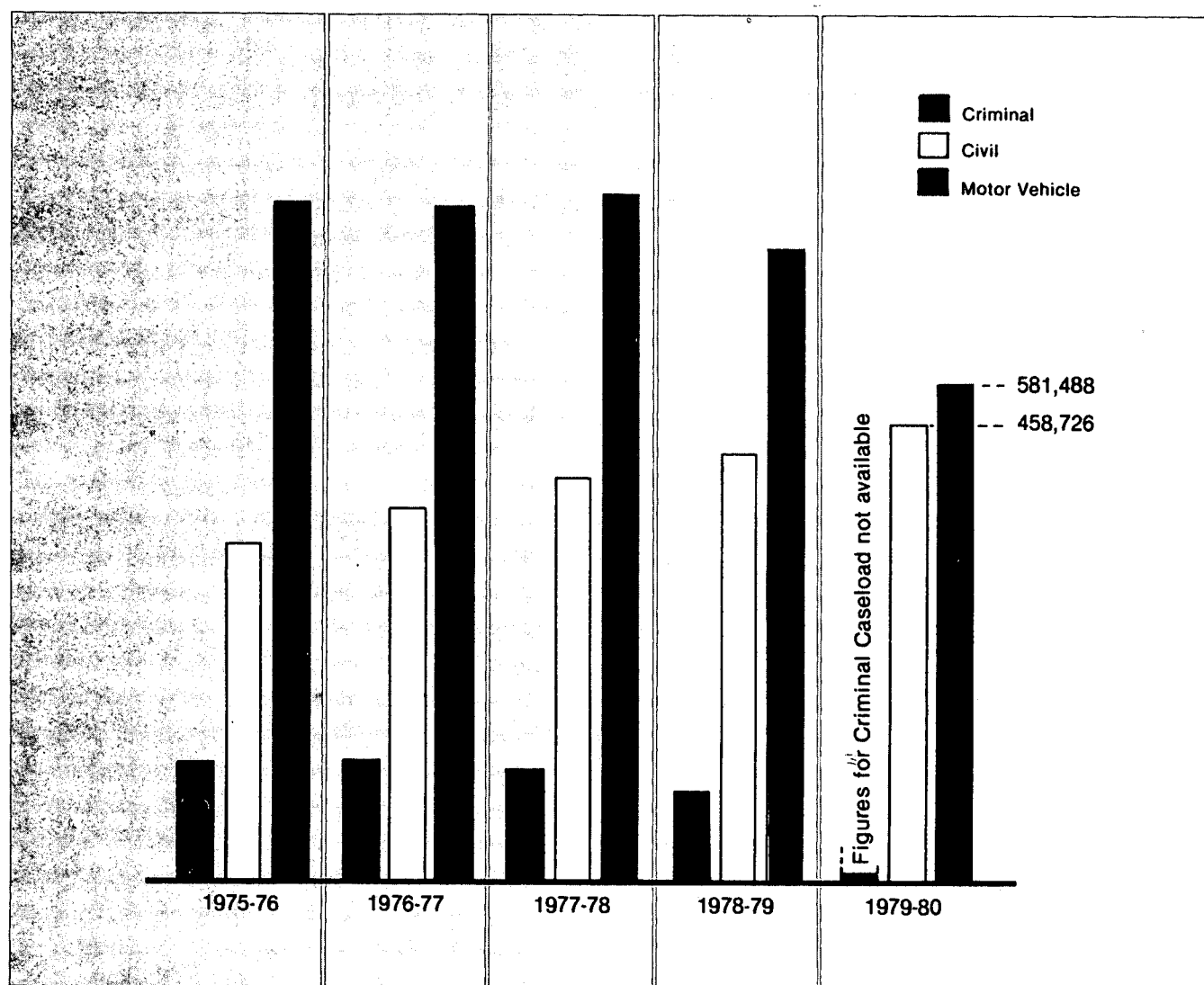
The District Court began operating on July 5, 1971, and replaced an existing miscellaneous system of trial magistrates, people's and municipal courts. It is a court of record, is entirely State-funded and has state-wide jurisdiction. District Court judges are appointed by the Governor to ten-year terms, subject to Senate confirmation. They do not stand for election. The first Chief Judge of the Court was designated by the Governor, but all subsequent Chief Judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into 12 geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision. Presently, there are 87 judges on the Court, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A Chief Clerk of the Court is appointed by the Chief Judge. Administrative Clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal (including motor vehicle) and civil areas. It has little equity jurisdiction and has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of \$2,500, or both; and civil cases involving amounts not exceeding \$2,500. It has concurrent jurisdiction with the circuit courts in civil cases over \$2,500 to not exceeding \$5,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies if the penalty is three years or more. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

During Fiscal 1980, the District Court processed 581,488 motor vehicle cases and 458,726 civil cases. Due to data processing problems, information as to the criminal caseload was not available at the time of publication. In addition to the above figures, the District Court for Montgomery County reported juvenile filings of 2,527.

Statewide, 178,284 motor vehicle cases were tried with the balance of 403,204 being disposed of by payment or forfeiture without trial. Baltimore County recorded the most trials, 39,286, followed by Baltimore City with 33,488, and Prince George's County with 27,214. Kent County recorded the smallest number with 226.





District Court—Caseload by Fiscal Year

In the civil area, statewide filings increased by 8.3 percent over Fiscal 1979. Baltimore City, as usual, docketed the most civil actions with 169,273, followed by Prince George's County with 114,893 and Baltimore County with 66,407. All counties, with the exception of Kent, noted increases in their civil caseloads. Disputes between landlords and tenants

accounted for 70.4 percent of the total civil caseload.

Fiscal 1980 appears to show a continuation of a trend towards fewer motor vehicle cases and increased civil cases. Because of changes in reporting methods and difficulty in verifying statistics, it is not feasible to comment on trends in the criminal area.

Judicial Administration

Administrative Office of the Courts

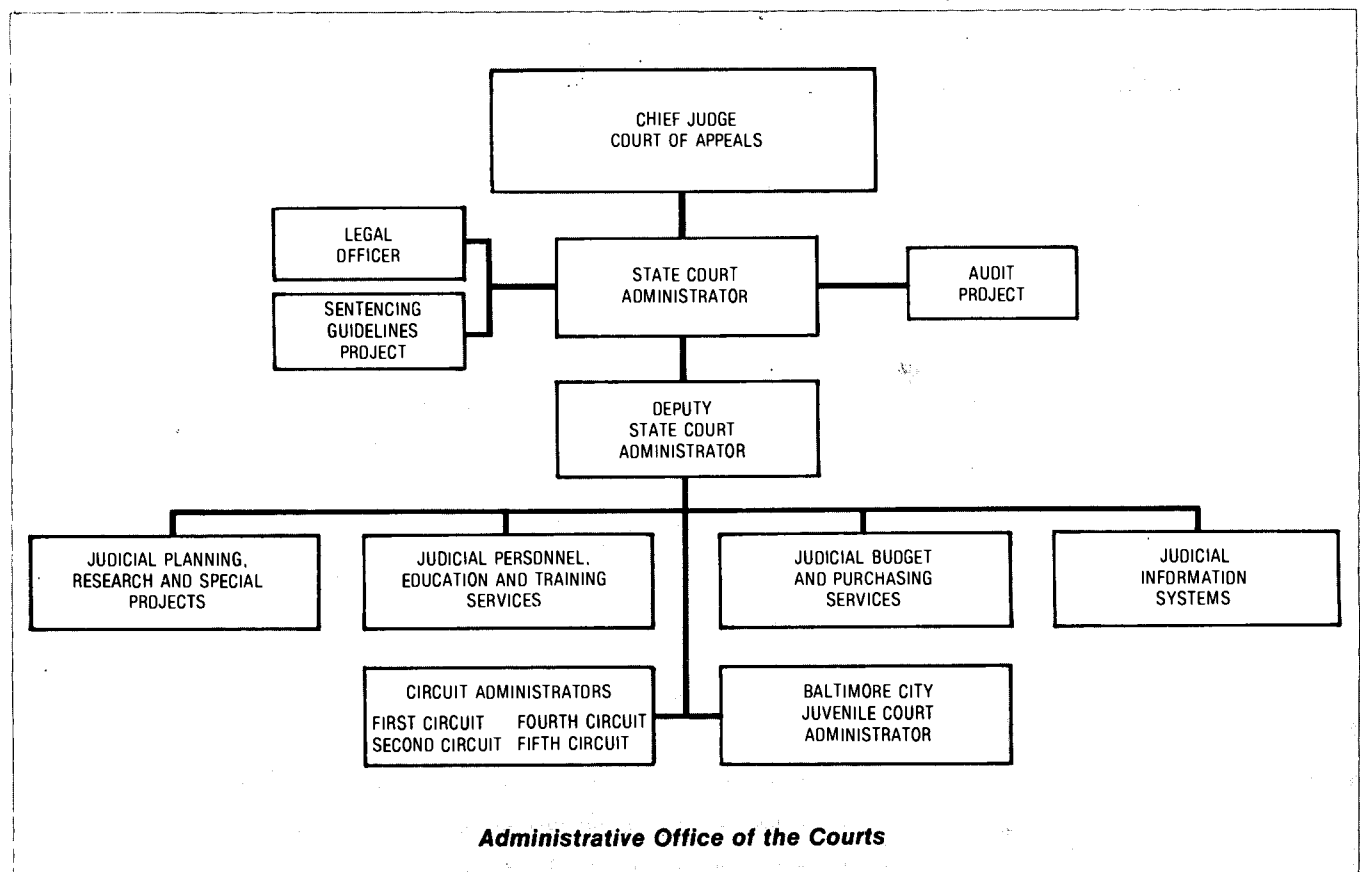
In 1944, the people of Maryland recognized the need for providing for administrative direction of the court system when they ratified what is now Article IV, Section 18(b), of the Constitution, providing that the Chief Judge of the Court of Appeals is "the administrative head of the Judicial system of the State." But it was not until 1955 that the General Assembly took the initial steps for the provision of professional administrative staff necessary to assist the Chief Judge in carrying out his administrative responsibilities.

In the latter year, the General Assembly created the Administrative Office of the Courts, headed by a State Court Administrator appointed by and serving at the pleasure of the Chief Judge of the Court of Appeals, as provided by section 13-101 of the Courts Article. The basic function of the State Court Administrator and the Administrative Office itself is to provide the Chief Judge with advice, information, facili-

ties, and staff to assist him in the performance of his administrative duties, and to implement court administration policies established by the Chief Judge, the Court of Appeals, and the General Assembly.

These administrative tasks include planning, providing staff support for the education and training of judges and non-judicial personnel, preparation and administration of the judiciary budget, liaison with the Legislative and Executive Branches, staff support for the Maryland Judicial Conference and the Conference of Circuit Judges, the operation of information systems and the gathering and analysis of statistics and other management information, and assisting the Chief Judge in the deployment of judicial manpower to cope with temporary backlogs or to address shortages of judicial personnel. Some of the details pertaining to these activities appear in this portion of the Report.

As the court system and its workload have grown, so has the Administrative Office, as it continues to strive to give more effective support to the



Chief Judge in his administrative capacity, and to the adjudication function of the courts. Recent concerns have focused on the need for a more rational and manageable personnel system for State-funded employees of the judiciary (as evidenced by the introduction of SB 906 at the 1980 legislative session). Personnel concerns have also arisen because of the increase in the number of employees assigned to the Administrative Office itself. The most recent development was the transfer, in the latter part of Fiscal 1980, of some 20 personnel of the District Court data processing operation in Baltimore to the Information Systems Unit of the Administrative Office. In addition, pursuant to action taken at the 1979 Judicial Conference, a small Sentencing Guidelines Project staff has been created, funded by a federal grant.

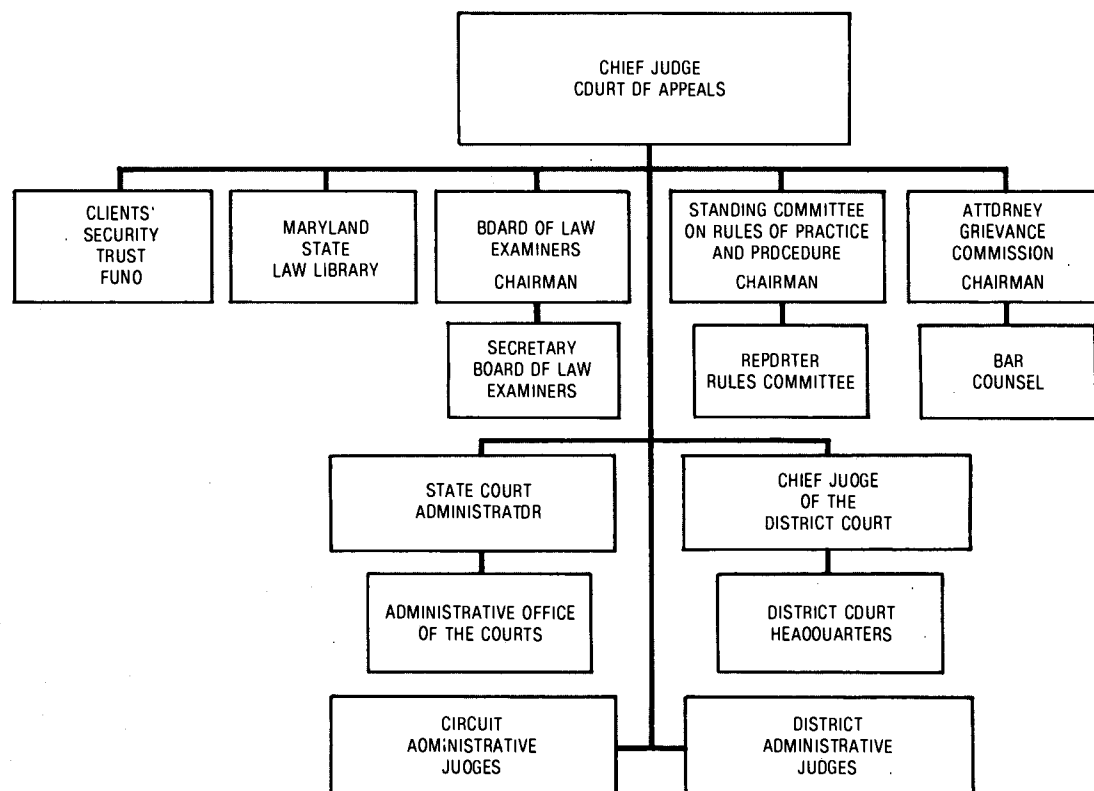
Because of these changes, the Chief Judge authorized a reorganization of the Administrative Office, effective June 30, 1980. This reorganization includes the creation of a new Judicial Personnel, Education and Training Services Unit. The director of this unit is primarily responsible for personnel matters; the deputy director will undertake responsibilities for education and training, which are so closely related to personnel. The separate Judicial Education and Training Unit has been abolished and the Judicial Administrative Services Unit, which formerly dealt with personnel matters, has been redesignated the

Judicial Budget and Purchasing Services Unit, with duties consistent with that designation.

The Information Systems Unit will now handle all judicial information activities, including those formerly handled by the District Court data processing operation at 211 East Madison Street in Baltimore.

As part of a reorganization of the Administrative Office of the Courts in July, 1980, the position of Legal Officer was established to assist the State Court Administrator with legal research and legislative matters. Among the duties of the Legal Officer will be the responsibility for legislative research, bill drafting, and general legislative liaison. Other tasks include assistance to the State Court Administrator in the preparation of the annual summary of legislation, preparation of a newsletter, maintenance of the Judicial Benchbook and other Administrative Office publications.

During the year, the Judicial Planning Services Unit was also reorganized by merging into it the former reports and records activities, and by redesignation as the Judicial Planning, Research and Special Projects Unit. The accompanying chart illustrates the present organization of the Administrative Office, and the following text discusses some of the activities performed by that unit during Fiscal 1980.

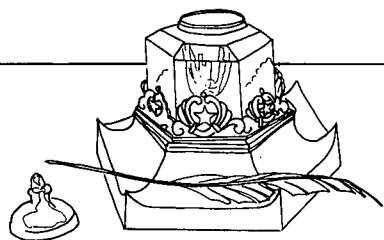


State Judicial Administrative Structure

Judicial Planning, Research and Special Projects

This unit in the Administrative Office is responsible for developing goals, objectives and programs for the Maryland Judicial System. By utilizing statistics provided by the Judicial Information Systems Unit and verified by the Statistical Auditing Project, the Planning Unit analyzes data for various purposes, chief of which include: identifying problem areas for planning; developing new program areas for budgeting and preparing special analytical reports to help present the needs of the judiciary before legislative committees. A good example of the last of these is the statistical analysis prepared every year as part of the Chief Judge's Certification of Needs for Additional Circuit Court/Supreme Bench judgeships.

The unit also conducts special research assignments and program evaluations throughout the year. In the not too distant future, it is expected that staff to the unit will be involved in the appraisal of the extended camera coverage in the courts and the pre-argument conference in the Court of Special Appeals. Finally, the unit prepares several publications or materials which in varying degrees are of importance to the courts. These include among others, *The Compilation of Administrative Materials for Judges*; *The Judicial Ethics Handbook*; *The Annual Report of the Maryland Judiciary*, and the *Statistical Abstract*.



Judicial Information Systems

The Judicial Information Systems Unit is responsible for the determination of the electronic data processing needs of the judicial branch. It develops designs for programming, hardware and software requirements and oversees general systems management. Contacts are also established with all courts maintaining their own electronic data processing capability to ensure full compatibility with statewide systems.

The courts of Maryland, like business and government in general, have increased their use of computers to assist in the resolution of administrative problems. A number of the systems developed here have been reviewed by visitors from other states and foreign nations, including Canada, Denmark, Japan and Thailand for possible use in their courts.

At this time, the firm of Deloitte, Haskins and Sells is conducting a federally funded evaluation study of all present court EDP systems and developing a plan for future directions. This study is being done at the request of the Chief Judge of the Court of Appeals and should be completed in early 1981.

Other activities during Fiscal 1980 included the addition of Baltimore County to the Traffic Adjudication System, complete redesign of the statistical gathering systems, the addition of a capability to produce a number of court orders by the Supreme Bench Juvenile System and a number of cost-saving programming refinements to the Supreme Bench Criminal System.

During Fiscal 1981, Prince George's, Anne Arundel, Howard, Harford, and Cecil Counties will be added to the Traffic Adjudication System. A design will be completed and necessary procurement proceedings accomplished to convert the Supreme Bench Systems to a semidistributive mode of technical operation. Also, it is planned to add a Juvenile segment to the Anne Arundel County System and continue development of a modest personnel system for the Administrative Office of the Courts. Special efforts will continue to improve the accuracy and timeliness of the statistical reports and court criminal information system data.

Judicial Personnel, Education and Training Services

This is a newly established unit within the Administrative Office that combines the resources of the personnel operation of the Administrative Services Unit with the former Judicial Education Services Unit to coordinate the activities of these closely related functions. The unit will provide personnel and education services to the judicial and support communities.

In Fiscal 1980, policies and procedures were developed with respect to hiring, equal opportunity, discipline, contractual employment, and performance evaluation. Employees of the unit will continue to work on these programs in Fiscal 1981.

The orientation program of newly appointed trial court judges and the in-State legal education and training seminars for all judges of the State have continued throughout the year. In addition, eleven judges attended a variety of sessions of the National Judicial College and other out-of-State training activities.

Education and training efforts were coordinated for the court support community. Within the Administrative Office, programs were made available to personnel at all levels of the organization. Resources provided by the Institute for Court Management, the Maryland Departments of Education and Personnel, the Management Development Center, the Clerical

Institute and others have contributed significantly in this area. Continuing cooperative efforts with the District Court, circuit court clerks, court reporters, and others have resulted in making available technical assistance necessary to meet their education and training needs.

Judicial Budget and Purchasing Services

The major duty of the Judicial Budget and Purchasing Services Unit is to prepare and manage the State judiciary budget. The Unit also handles equipment and supply purchases within the Administrative Office and related court-supporting organizations. Since courts cannot operate without funding, the importance of this function is obvious. It should be noted, however, that although the appellate courts, the Administrative Office, and the District Court are State funded, the circuit courts (except for judges' salaries) are largely locally funded. The result of this arrangement is that 26 percent of the public monies spent on the judicial system are spent by the political subdivisions, mainly out of property tax revenues.

Statistical Auditing Project

Monitoring the accuracy, timeliness, and consistency of court statistics is the job of the Statistical Auditing Project. In a field audit of all the circuit courts, sample case data in the computer record was compared with the actual court records for those cases. Auditors reviewed discrepancies with clerks of court and clarified reporting requirements. Following up on inconsistencies identified in the Fiscal 1979 field audit, the Audit Project surveyed by telephone all clerks of court concerning selected reporting practices. A report titled "Apples and Oranges" documented the differences and recommended some solutions. The information gained in the auditing activities is contributing to more informed legislative analysis, judge needs assessment, and information system design.

In Fiscal 1981, the Audit Project will continue field auditing. In addition, more detailed analysis will be done of criminal history data reported to the Central Repository for Criminal Records.

Sentencing Guidelines Project

A two-year grant from the National Institute of Justice is funding the development and implementation of sentencing guidelines for the Circuit Courts in Baltimore City, Harford, Montgomery, and Prince George's Counties. Designed as a sentencing aid to judges and to avoid unwarranted disparity in sentencing, the project will test the feasibility of multi-jurisdictional sentencing guidelines. Project staff,

under the direction of a judicial advisory board, will first statistically analyze past sentencing practices, based on a sample of 4,000 to 6,000 cases, and then use that information to construct models for judges to apply to their future sentencing decisions. Finally, beginning in early 1981, the guidelines will be implemented in the four test jurisdictions. Individual judges will be free to impose sentences outside the guidelines as long as they provide written reasons for doing so. Continued analysis of sentencing decisions will provide the basis for the advisory board to modify the guidelines as seems advisable. If the project succeeds, guidelines will probably be expanded in the future to all of the State's circuit courts and to the District Court.

Liaison with the Legislative and Executive Branches

The budget is one example of an important area of liaison with both the executive and legislative branches, since judiciary budget requests pass through both and must be given final approval by the latter. In a number of other areas, including the support or opposition of legislation, the appointment of judges, and criminal justice and other planning, close contact with one or both of the other branches of government is required. On occasion, liaison with local government is also needed. On a day-to-day working level, this liaison is generally supplied by the State Court Administrator and other members of the Administrative Office staff as well as staff members of District Court Headquarters. With respect to more fundamental policy issues, including presentation of the State of the Judiciary Message to the General Assembly, the Chief Judge takes an active part. The Chairman of the Conference of Circuit Judges and the Chief Judge of the District Court also participate in liaison activities as appropriate.

Administrative Conference

To address the need for consultation regarding administrative decisions and the need for a mechanism to assure that such matters are kept under consideration until finally resolved, the Chief Judge of the Court of Appeals organized the Administrative Conference in 1977. The Conference consists of the Chief Judge of the Court of Appeals, the Chairman of the Conference of Circuit Judges, the Chief Judge of the District Court, and the State Court Administrator. Thus, the Conference includes judicial representation from the several court levels, as well as a non-judge administrator.

An agenda for each meeting is distributed in advance and a memorandum of the Conference actions follows each meeting. The Conference meets approximately monthly. A docket is maintained listing each

matter considered by the Conference and each matter is kept on the docket until the Conference has disposed of it.

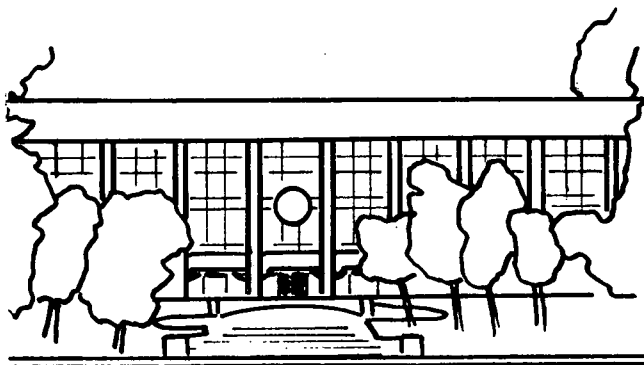
This procedure offers a method whereby judiciary leaders can be kept informed as to system-wide developments and by which the Chief Judge of the Court of Appeals can consult with others as he formulates administrative policy. The procedure has proved to be of substantial benefit for the purpose of administrative decision making.

Circuit Court Administration

Efforts to improve juror selection and management continued in the circuit courts in Fiscal 1980. The juror orientation slide presentation has been further implemented in additional counties so that 17 of the 24 jurisdictions now have such a program. In addition to the use of slide presentations by the courts, interest also has continued in showing the slide program to high school students and interested citizen groups. Washington County for the first time instituted the use of juror exit questionnaires to be completed at the end of the juror's term of service. In the Second Judicial Circuit and Washington County, a direct mail, automated data processing questionnaire/summonsing procedure for prospective jurors has been instituted with funding support provided by the Administrative Office of the Courts. The new procedure has reduced time and costs in the initial selection process, in the use of manpower in the Clerks' offices and the cost of postage to the counties. In Fiscal 1981, the procedure is expected to be implemented in other counties. In Washington and Worcester Counties, a juror "call-in" system has been installed which eliminates the former procedure of individual telephone calls to each juror to notify them whether or not they are to report for duty. This procedure likewise is saving operational costs. While the procedures vary somewhat in each jurisdiction, jurors generally are instructed to call a designated number and a recorded message informs them as to when they are to report for duty. This saves time for court personnel and makes it convenient for jurors to be properly informed as to when they will be needed. The one day/one trial project implemented in Montgomery County last year continues to be successful and is received enthusiastically. The Supreme Bench of Baltimore City has taken steps to initiate the same system and Baltimore County is pursuing the possibility of starting the procedure in its jurisdiction.

Efforts continued, but at a rather modest pace to improve existing space and to upgrade court facilities in Fiscal 1980. In Prince George's County, actual construction began on the second phase of the renovation of the courthouse in Upper Marlboro which when completed will add four jury courtrooms, a judge's chambers, a new law library, lawyers'

lounge, a new grand jury room, a large petit jury holding room, and an expansion of the Circuit Court Clerk's office. In Garrett County, major additions to the courthouse have been completed and circuit court facilities have been relocated in expanded quarters including judges' chambers, staff offices, a petit jury deliberation room, and a law library. In Worcester County, renovations have been completed to provide chambers and a courtroom for the additional judge authorized by the 1979 General Assembly. Construction and renovations are in various stages in Montgomery, Harford, Frederick, and Anne Arundel Counties.



Efforts to improve the processing of cases in the circuit courts reached a high level of activity in Fiscal 1980 due primarily to the decisions in *State v. Hicks*, 285, Md. 310, 334 (1979) by the Court of Appeals. The Court of Appeals held mandatory the language in Maryland Rule 746 that the trial of criminal cases shall be held within 120 days from the appearance of counsel or the initial appearance of the defendant. Faced with the possibility that many criminal cases might be dismissed for failure to meet the time frame, the Supreme Bench of Baltimore City and other jurisdictions undertook steps to expedite the disposition of criminal cases. But responding to the call of many jurisdictions, that the 120 day limit could not be met, the Court of Appeals amended Rule 746 by extending the time to 180 days. While to a considerable degree, the action relieved the pressure upon the Supreme Bench and other courts of the State, the decision to mandate a time frame within which cases are to be tried served as a catalyst to continue efforts to expedite case processing. At the time of the decision, the active felony case backlog in the Supreme Bench was approximately 1700 cases. As of June 30, 1980, this figure was reduced to approximately 960. Further, the time frame within which cases were scheduled for trial exceeded 180 days but efforts have been successful to the extent that as of June 30, 1980, criminal cases

are being scheduled for trial within 60 days from the date of arraignment or the appearance of counsel. Another procedure implemented in the Supreme Bench is mandatory pretrial conferences for all defendants whether jailed or on bail at least three to four weeks before the scheduled trial date. Efforts to expedite the disposition of misdemeanor cases in which a jury trial was prayed also took place.

Perhaps the most significant point about the effort by the Supreme Bench is that it was undertaken with existing personnel resources by participation and cooperation among personnel of the Supreme Bench, the State's Attorney's Office and the Public Defender's Office. Further, a project to reduce court delay assisted by an infusion of federal funds stopped in the preliminary stages and funds were not sought.

Similar efforts to address a criminal backlog took place in Prince George's County. In January, 1980, a new procedure was implemented by which counsel are to be advised of specific dates and deadlines within which certain matters are to take place. As with the Supreme Bench, a system of mandatory pretrial conferences for all criminal cases has been instituted.

On the civil side, a system of pretrial conferences was established in three of the five circuit courts in the Second Judicial Circuit while a similar practice was initiated on the criminal side in one of these jurisdictions. The institution of these procedures have improved the efficient use of the courtrooms because more cases are being either settled or disposed of at an earlier date but in addition, issues were being determined earlier thus reducing trial time.

Computer-aided transcription came to Baltimore City in Fiscal 1980 for several criminal courts of the Supreme Bench. With the overall objective of reducing the time required to type transcripts, the program will provide the capability of making court reporters' time more free to edit transcripts and expedite the preparation of records for appeal. Basically, the operation is carried out by the use of a device specially adapted for a court reporter's stenographic machine that uses an ordinary cassette tape. As the court reporter takes testimony, the cassette electronically records the stenographic symbols. The cassette is next entered into a mini-computer into which has been programmed the special dictionary of an individual court reporter. The program then is able to produce at a high rate of speed a complete transcript of the proceedings. While preliminary reports indicate it has been very well received by those participating in the project, the effort will be evaluated in depth at the end of one full year to assess its overall impact in expediting the preparation of transcripts and the possible expansion into additional courts in the Supreme Bench and elsewhere in the State.

District Court Administration

Throughout the existence of the District Court one of its most serious problems has been its inability to control court dockets in motor vehicle cases. This situation has existed because the time honored technique of scheduling traffic cases in the Trial Magistrate's Court, People's Court and Municipal Courts throughout the state, prior to the inception of the District Court, was to assign to each police officer one court date per month, and the officer when issuing a citation would insert on that citation as the trial date his next court day. The difficulties in this system are obvious, for until copies of the citations arrived in the court, there was no method of determining the number of cases scheduled for trial on any given day, and therefore no way of controlling that number so as to ensure an orderly trial schedule and minimum inconvenience to our citizens.

In May of 1971, during the organizational period of the District Court system, the State Motor Vehicle Administrator suggested to the Chief Judge of the Court that computers at the State Motor Vehicle Administration be utilized to control traffic dockets. Under that proposal, a citation issued to a motorist in Maryland would not contain a trial date, but would contain directions to the motorist that he could pay the fine by mail or request a trial date. The computer would then compose a docket of those electing to stand trial, balancing the number of cases set for each session, and notifying officers, defendants and witnesses of the time and place of trial. Because of even more pressing organizational problems then underway in the District Court and uncertainty in the minds of SMVA administrators as to their own capability of perfecting this system, it was decided to postpone the implementation of any such system until a later date and to utilize for the District Court the "officer-trial-date" system then in vogue throughout the state. Predictably, the use of this system in the District Court proved to be as severe a problem as it had been in the predecessor courts—a problem that reached its high water mark on a day in 1973 when 1200 cases were scheduled for trial in one courtroom in Prince George's County.

In 1974 a special committee of five judges was appointed by the Chief Judge of the District Court to examine the computer techniques utilized in docketing motor vehicle cases for trial in New York City. After examining that system the committee reviewed a substantially similar system in the City of Chicago, and another system in Miami, Florida. This committee submitted a report to the District Court educational conference in 1974, and it was decided by the judges that Maryland should attempt to develop a computerized processing system patterned after that in use in New York City. Shortly thereafter Chief Judge Robert C. Murphy obtained a grant from

the National Highway Traffic Safety Administration for a feasibility study for such a system, and he appointed a steering committee of judges and clerks of the District Court and computer specialists of the Administrative Office of the Courts to decide on the best method of utilizing computers to address our scheduling problems.

In August of 1976 the decision was made to institute a prototype operation of computerized docketing in Montgomery County and that system was instituted on November 1, 1977. In the spring of 1978 a careful analysis was made of the strengths and weaknesses of that prototype operation, and on the recommendation of Chief Judge Sweeney and William H. Adkins, II, the State Court Administrator, Chief Judge Murphy approved the expansion of that system on a gradual basis, at least into all of the more populous sections of the State. The judicial budget for Fiscal 1980 contained funds for the expansion of that system into Baltimore County, and the budget for the judiciary for Fiscal 1981 contains funds for the implementation of the system into the counties of Anne Arundel, Cecil, Harford, Howard and Prince George's. That expansion should be completed in Fiscal 1981, and Baltimore City, Carroll County, Frederick County and Washington County will be added to the system in Fiscal 1982.

Simply stated, this system consists of a procedure substantially similar to that envisioned by the State Motor Vehicle Administration nine years ago. Under the system a motorist receives a citation which does not contain a court date, but contains instead directions as to how to pay the fine or request a trial date. All payments are directed to one central source, vastly simplifying the Court's accounting procedures and also simplifying the process of transmitting to the Motor Vehicle Administration the dispositions in such cases. Those who choose to stand trial are scheduled for trial by the computer, according to data stored in the computer on officer availability and the number of cases already scheduled for each court session on each court day. All mailings of trial notices are actually made by the computer and the trial docket is itself printed by computer.

The net results of this system are that the Court can now schedule for trial at any session the number of cases that should be heard in a ninety minute session, reducing the waiting time for defendants, police officers, attorneys and witnesses, and better enabling the Court to make the maximum utilization of the judges of the Court and the Court's clerical staff.

Additionally, by two-way communications between the central computer operated by the Administrative Office of the Courts in Annapolis, and terminals in the District Courts, inquiries can be made concerning the dockets, postponements can be entered, and other information is made more acces-

sible to all who have an interest. The same two-way communication system is utilized to notify the centrally located computer of the disposition entered by the judges at the trial of a case.

It is the belief of those who have been involved in the development and implementation of this system that it is the best now in use in any American court. It is an improvement over those upon which it has been modeled and has been hailed as highly successful by virtually all who have had contact with it. Not only has this system already achieved substantial time saving effects where it has been in use but it has illustrated the potential of computers in dealing with other categories of cases on the Court dockets.

Students of government should be particularly interested in the fact that the success of this operation has been brought about by unique cooperation between a half-dozen separate state and federal entities. The funding for the study of this system, and the prototype operation, was provided in major part by grants from the National Highway Traffic Safety Administration, and subsequent funding has been provided in the budget for the judiciary submitted by the Governor and adopted by the Maryland General Assembly. The SMVA, the Maryland State Police Department, local police departments, prosecutors, bar associations and District Court judges have given their time, talent, advice and assistance to this project, as have the computer specialists in the Administrative Office of the Courts, and the experienced trial court administrators in the District Court.

Assignment of Judges

The authority to make temporary assignment of active judges to any court is vested in the Chief Judge of the Court of Appeals by Article IV, Section 18(b) of the Maryland Constitution. Pursuant to Article IV, Section 3A, of the Constitution and Section 1-302 of the Courts Article, the Chief Judge, with approval of a majority of the judges of the Court of Appeals, can recall former judges to sit in courts throughout the State.

For the twelve-month period ending June 30, 1980, temporary assignment of active and former judges continued at a high level. While Section 1-302 contains conditions which limit the extent to which a former judge can be recalled, the ability to do so is exceedingly helpful because it provides essential temporary judicial assistance without having to call upon active full-time judges with the resultant disruption of schedules and delay in the disposition of cases.

During this period, 12 active circuit court judges, designated by the Chief Judge provided temporary judicial assistance in the circuit courts for 56 judge-

*Temporary Judicial Assistance to the
Circuit Courts* by Active and Former
Circuit Court and Appellate Court Judges
July 1, 1979-June 30, 1980
Fiscal 1980*

No. of Designations			
Circuits Assisted	Active Judges	Former Judges	Judge Days
First		1	1
Second		1	13
Third	1		9
Fifth		5	28
Sixth	2	3	37
Eighth	14	6	276
	17	16	364

*This includes assistance by twelve active circuit court judges pursuant to the Temporary Judicial Assignment Plan (Schedule of Weeks by Circuit) for the circuit courts (56), by ten former circuit judges (259), four active and one former appellate judge. It does not include exchanges between circuits or assignments within circuits pursuant to Maryland Rule 1207.

*Temporary Judicial Assistance by
Active and Former District Court Judges
July 1, 1979-June 30, 1980
Fiscal 1980*

No. of Designations			
Assistance	Active Judges	Former Judges*	Judge Days
Intra Court	435	13	655
Circuit Court** (excl. Supreme Bench)	16		156
Supreme Bench	14		145
	465	13	956

*Four former District Court judges were recalled for temporary assignment thirteen times.

**Includes judges assigned under a "blanket" designation process for one year at a time.

Active District Court judges sat for 616 days while former judges sat for 39 days.

days pursuant to a schedule. The schedule, covering a full calendar year, informs a Circuit Administrative Judge up to a year in advance as to the period(s) for which a particular circuit may be called upon to provide assistance throughout the State if requested.

Retired judges complemented efforts to maximize the use of available judicial manpower to an extent greater than in any previous year since the implementation in Fiscal 1977 of the constitutional authorization legislation for the temporary use of this valuable resource. The Chief Judge of the Court of Appeals with the approval of the Court, designated 10 former circuit court judges and one appellate judge for a total of 16 times to serve in the circuit courts for 259 judge days more than one judge year of 246 days and at an approximate cost of \$48,500. This is a 99 percent increase over Fiscal 1979. Of the total, 195 judge days of assistance by six retired circuit court judges were provided to the Supreme Bench of Baltimore City. This was required in large part by vacancies created by the appointment of two judges to the federal bench which remained unfilled for over 100 judge days.

Other efforts to use available judicial manpower were made by Circuit Administrative Judges pursuant to their authority under the Maryland Rules to shift judges within their circuits without formal approval by the Chief Judge. The exchanges of judges between circuits occurred a number of times during

the course of the year whereby reason of disqualification of judges to preside over particular cases, assignments were moved outside the circuits.

Appellate judges were also called upon to sit in the circuit courts where their services could best be utilized. This took place during the summer months of 1979 in which four judges were designated five times to different circuits with assignments ranging from one to three weeks that totaled 49 days.

Extended illnesses, unfilled vacancies and the need to dispose of a backlog of cases were addressed by the Chief Judge of the District Court, who pursuant to the constitutional authority vested in him, made within that court 435 assignments totaling 616 judge days. Four former District Court judges were recalled for temporary assignment 13 times and sat a total of 39 judge days at a cost approximating \$6,900. In addition, the Chief Judge of the Court of Appeals designated certain District Court judges to sit in the circuit courts. They sat for 301 judge days, of which 145 were in the Criminal Court of Baltimore City.

The Chief Judge exercised his authority at the appellate court level, cross-designating appellate judges to sit in either appellate court to hear specific cases. Also, assistance was provided to the Court of Special Appeals by nine circuit court and seven District Court judges for a total of 17 judge days in an effort to assist that court in coping with its caseload.

Court Related Units

Board of Law Examiners

Originally in Maryland the various courts were authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained as a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its administrative staff administer bar examinations twice annually during the last weeks of February and July. Each is a two day examination of not more than twelve hours nor less than nine hours writing time.

Commencing with the Summer 1972 Examination, pursuant to Rules adopted by the Court of Appeals, the Board adopted, and has used as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board.

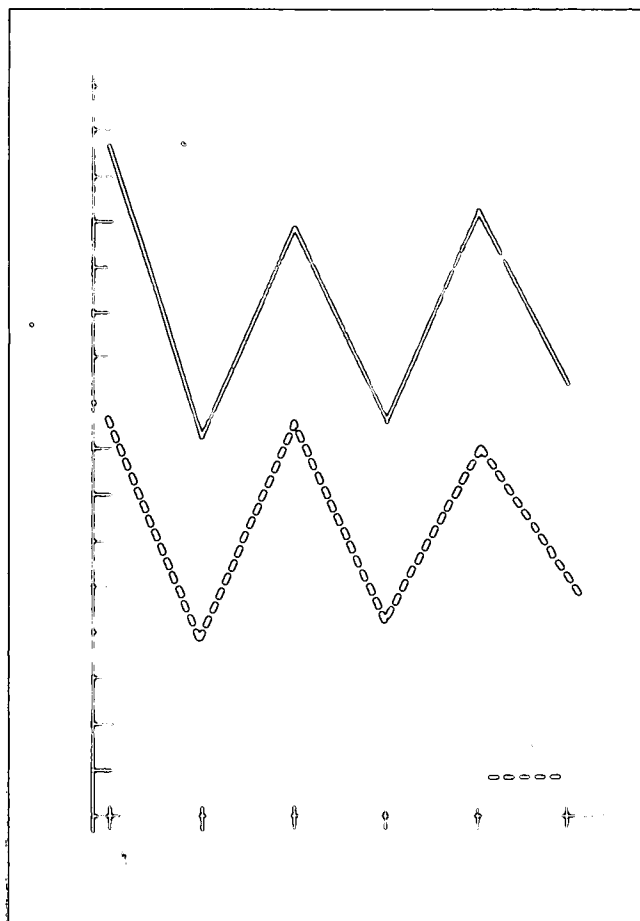
The MBE test has been adopted and is now used in forty-three jurisdictions. It is a six hour test which had originally covered five subjects: Contracts, Criminal Law, Evidence, Real Property, and Torts. Another subject, Constitutional Law, was added commencing with the February 1976 Examination, with the time remaining the same.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: Agency, Business Associations, Commercial Transactions, Constitutional Law, Contracts, Criminal Law and Procedure, Evidence, Maryland Civil Procedure, Property, and Torts. Single questions may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

The results of the examinations given during Fiscal Year 1980 are as follows: A total of 652 candidates sat for the July 1979 examination with 412 (63.2 percent) obtaining a passing grade while 429 sat for the February 1980 examination with 251 (58.5 percent) being successful. Passing percentages for the two previous fiscal years are as follows: July

1977, 57.9; February 1978, 48.3; July 1978, 66.8; and February 1979, 51.1.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 14 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Code of Professional Responsibility. The test is of three hours duration and is administered on the first day of the regularly scheduled bar examination.



Number of candidates and successful candidates taking the bar examination.

At the attorney examination administered in July 1979, 22 new applicants took the examination and 18 passed. This represents a passing rate of 81.8 percent.

In February 1980, 39 new applicants took the examination for the first time along with four individuals who had been unsuccessful on a prior examination making a total of 43 applicants. Out of this number there were eight persons who were unsuccessful. A total of 35 passed the examination which represents a passing rate of 81.4 percent.

Rules Committee

The Standing Committee on Rules of Practice and Procedure, usually called the Rules Committee, was originally appointed by an order of the Court of Appeals dated January 22, 1946, to succeed an *ad hoc* Committee on Rules of Practice and Procedure appointed by an order of the Court dated March 5, 1940. Its membership comprises "... lawyers, judges, and other persons competent in judicial practice, procedure or administration." The Rules Committee meets regularly to recommend changes in or additions to the rules of the Court of Appeals governing the practice and procedure of law and judicial administration. Its members serve without compensation. Following his appointment by the Court, Professor Larry S. Gibson of the University of Maryland School of Law became Reporter to the Rules Committee on March 1, 1980.

Among the major activities of the Rules Committee during the year under review were continued work on the reorganization of the Maryland Rules of Procedure and recommendations of rules concerning the commitment of juveniles to the Department of Health and Mental Hygiene and the recording and use of videotape and audiotape depositions.

With respect to its continuing project for reorganizing the Maryland Rules, the Committee has given tentative approval to the pleading rules and has begun its consideration of the discovery rules.

The Rules Committee in its 68th Report to the Court of Appeals recommended adoption of amendments to the Juvenile Causes rules governing the commitment of juveniles to the Department of Health and Mental Hygiene for placement in State mental hospitals. These amendments implement an order of the U.S. District Court for Maryland in *Johnson v. Solomon*, filed August 17, 1979, requiring that the juvenile court make certain findings before commitment, and follow procedures set forth for mandatory periodic review of the commitment order. The 68th Report was adopted by the Court with an effective date of July 1, 1980.

The Rules Committee has taken final action on a new rule and several amended rules in the discovery chapter concerning videotape and audiotape depositions which it is recommending to the Court. The

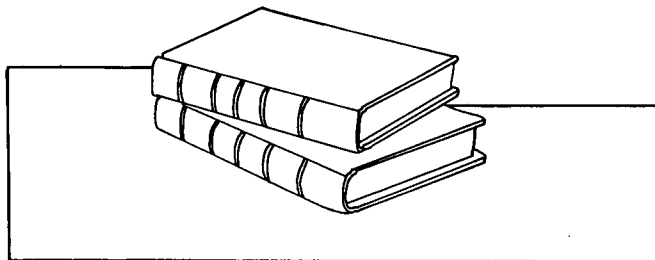
Committee proposes that in civil trials the use of videotape depositions of medical and all expert witnesses be permitted as a matter of course. Under the proposed rules videotape depositions of other witnesses and audiotape depositions may be used at trial in the same circumstances as stenographically recorded depositions. Proposed new Rule 410 delineates the standards and procedures for taking videotape and audiotape depositions. The primary purpose of the other proposed rules changes is to accommodate existing depositions procedures to the new technology. In addition, the Committee recommends the amendment of Rule 740 to permit the taking of videotape and audiotape depositions in criminal causes.

An emergency amendment of Rule 18 of the Rules Governing Admission to the Bar was recommended by the Rules Committee in its 67th Report and adopted by the Court of Appeals, becoming effective March 31, 1980. This amendment permits senior law students participating in clinical programs to appear on behalf of the State in judicial and administrative proceedings under the supervision of an assistant attorney general. Attorney General Stephen H. Sachs had suggested the amendment to the Committee.

The Committee also recommended the following rules changes necessitated by legislation enacted in 1980: amendment of Rule 619 and Rule 620 to give lien effect to judgments of the U.S. Bankruptcy Court; amendment of Rule 722 and M.D.R. 722 to permit the court for good cause shown to extend the time for a bail-bondsman to produce a criminal defendant before bail is forfeit; amendment of Rule 746 to provide that in criminal actions the county administrative judge may grant a change of trial date for "good," changed from "extraordinary," cause shown; and amendment of Rule W74 to require that the person making a foreclosure sale notify by registered mail not only the mortgagor but also the present record owner of the property and the holder of a subordinate mortgage or other security interest, provided that the holder of the mortgage being foreclosed had previously been given notice of the subordinate interest.

Also recommended by the Committee was an amendment of Rule 580 to permit the judges of each judicial circuit to set the fees for examiners and an amendment of Rule R73 to provide that a petition for guardianship of a disabled person be accompanied by the certificate of a physician who has examined the person within 21 days, changed from ten days, of the filing of the petition. The latter rules change had been requested by the Baltimore City Department of Social Services.

The Rules Committee has also continued its efforts to obtain the rescission of circuit and local rules, as was recommended in the Committee's 58th Report.



State Law Library

The Maryland State Law Library serves as the primary legal resource facility for the Judiciary of the State, and in addition, extends complete Library service to the rest of State government and the legal community. Having a specialized, public collection, the Library also services students, educators, the business community, professional and amateur genealogists, and concerned citizens who are expressing an increased interest in the law that affects their lives more and more each day.

The Library was originally established by an act of the Legislature in 1827 and was organizationally structured under the Executive Branch of State government until the Legislative Session of 1978 when it was transferred to the Judicial Department and had the name altered to include "Law" in the title. The Library is governed by a Committee which must be composed of at least three members who are appointed by the Court of Appeals. This Committee's powers include appointment of a Director of the Library and appropriate rule making.

With a total collection in excess of 150,000 volumes, this public facility offers the researcher access to a unique information resource. The collection, which is basically composed of reference materials in the subject areas of law, social sciences, state and local history and government documents, does not circulate, except to State agency personnel, though interlibrary loan arrangements can be made.

The Law Library's holdings of State and Federal government publications add tremendous latitude to the research materials found in most law libraries. Having been a select U.S. Government depository for Federal agency and Congressional publications for many years, the Library has collected and indexed thousands of reference publications in the areas of social sciences, economics, law enforcement, statistics, legislative histories and numerous other areas.

During the past fiscal year a committee of appellate court judges made an extensive study of the computer assisted legal research field, and recommended that the courts subscribe to the automated law library on Mead Data Central's LEXIS system. This new on-line system will be installed in the Law Library in October, 1980.

One additional development worth noting is the publication of a new and much improved index to legal periodical literature. The Library received the first edition of this new service, *The Legal Resource Index* in July. In a computer output microfilm format, this service indexes not only approximately 650 legal journals, but close to 400 general reference periodicals and legal and general circulation newspapers for law related articles.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday-Friday, 8:30 a.m.-4:30 p.m.; Thursday, 8:30 a.m.-9:00 p.m.; Saturday, 9:00 a.m.-4:00 p.m.

Attorney Grievance Commission

By Rule of the Court of Appeals the Attorney Grievance Commission was created in 1975 to supervise and administer the discipline and inactive status of lawyers. The Commission consists of eight lawyers and two lay persons appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment for a term immediately following the expiration of the member's service for one full term of four years. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation. The Commission appoints, subject to approval of the Court of Appeals, a lawyer to serve as Bar Counsel and principal executive officer of the disciplinary system. Duties of the Bar Counsel and his staff include investigation of all matters involving possible misconduct,

SUMMARY OF DISCIPLINARY ACTION

	1976 -77	1977 -78	1978 -79	1979 -80
Inquiries Received			510	627
Complaints Received			449	349
Complaints Concluded	546	479	316	427
Disciplinary Action Taken:				
Disbarment	3	2	6	3
Disbarment by Consent	5	2	5	7
Suspension	4	4	5	4
Public Reprimand	1	1	7	1
Private Reprimand	12	12	18	13
Placed on Inactive Status	2	0	1	0
Dismissed by Court	0	3	1	0
Petitions for Reinstatement	—	—	0	3
Number of Attorneys	27	24	42	31

prosecution of disciplinary proceedings, and investigation of petitions for reinstatement.

By the same Rule of Court, the Court of Appeals also established a Disciplinary Fund to cover expenses of the Commission and provided for an Inquiry Committee and a Review Board to act upon disciplinary cases. The Fund is composed of annual assessments upon members of the bar as a condition precedent to the practice of law.

During Fiscal 1980 the Attorney Grievance Commission received 627 inquiries with 411 complaints carried over from the previous year and two matters re-opened from the previous year. There were 349 actual complaints received during the year. Within the same period the Commission disposed of 427 complaints, with 43 of those resulting in disciplinary action being taken against 31 attorneys. Of the latter number, 10 were disbarred, 4 received suspensions, 14 received reprimands and 3 were petitions for reinstatement.

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965. The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are codified as Rule 1228, Maryland Rules of Procedure.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession by reimbursing, to the extent

authorized by these rules and deemed proper and reasonable by the trustees, losses caused by defalcations of the members of the Bar of the State of Maryland, acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven Trustees are appointed by the Court of Appeals from the members of the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional trustee is appointed by the Court of Appeals from the State at large. This trustee must be a lay person. Trustees serve on a staggered seven year basis. As each term expires a new appointment shall be a seven year term.

The Clients' Security Trust Fund began its fourteenth year on July 1, 1979 with a fund balance of \$730,186.54 as compared to a fund balance of \$682,679.35 for July 1, 1978. The Fund ended its fourteenth year on June 30, 1980 with a fund balance of \$758,003.96. Total assets amounted to \$762,996.96 with interest income totaling \$77,444.78. The Fund derived the sum of \$93,795.00 from assessments as compared to \$87,079.00 for the preceding fiscal year. There are presently 11,175 lawyers in the State subject to annual assessments.

During Fiscal 1980, the Trustees approved and paid 12 claims which amounted to \$84,133.71. All of the attorneys against whom action was taken have been disbarred with the exception of one who was suspended indefinitely. There are seven pending active claims with a current liability exposure of approximately \$89,400.00. These claims are in the process of investigation. During the year, the Trustees have also adopted an official claim form to simplify the filing procedures for a claimant.

Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It presently exists by virtue of the provisions of Maryland Rule 1226, which direct it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice and the judicial system in Maryland."

The Conference consists of the 204 judges (as of July 1, 1980) of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties, the Supreme Bench of Baltimore City, and the District Court of Maryland. The Chief Judge of the Court of Appeals is its chairman; the State Court Administrator is its executive secretary. The Conference meets annually in plenary sessions. Between these sessions, its work is conducted by an Executive Committee, consisting of judges elected by Conference members, and by a number of other committees, most of the members of which are appointed by the Chief Judge in his capacity as Conference Chairman.

During Fiscal 1980, the Conference's Executive Committee supervised a study of judicial education policies, with particular reference to out-of-state education. This study resulted in adoption, at the 1980 plenary session, of policies looking towards more extensive exposure of Maryland judges to the benefits of out-of-state educational activities. The Executive Committee also carefully investigated the possibility of establishing a group life insurance plan for Conference members, although this project did not come to fruition.

The Executive Committee also continued to work with the Bench/Bar Committee in planning towards a joint meeting with the Maryland State Bar Association in 1982.

The Bench/Bar Committee again served as a forum for the exchange of ideas and information between lawyers and judges, and for promoting cooperation between bench and bar in improvement of the court system. It also carried on work earlier begun in analyzing the appeal or lack of it of judicial office.

The Conference's Legislative, Juvenile and Family Law and Procedure, and Criminal Law Committees were all involved in the drafting of legislation

submitted to the 1980 session of the General Assembly, and in supporting this legislation before the appropriate committees. Some of the results of these activities are presented in the section of this Report entitled "1980 Legislation Affecting the Courts."

Although no orientation sessions for new trial court judges were sponsored by the Education Committee in Fiscal 1980 (because of a lack of new trial court judges in the fall of 1979), the Education Committee once again conducted a series of three educational sessions in the winter and spring of 1980, one of which was attended by each member of the Conference, unless excused for good cause. The Education Committee also provided a valuable day and a half of educational activity during the Conference's plenary session, which took place at the Hunt Valley Inn on May 8, 9, and 10, 1980.

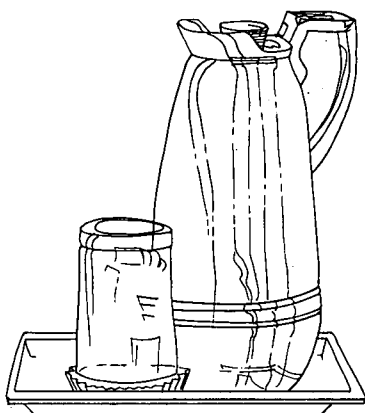
The Conference's Committee on Sentencing began supervision of the Sentencing Guidelines Project authorized by the 1979 Conference, and discussed in more detail in other portions of this Report. A special committee, established by the Conference itself, the Committee on Judicial Compensation, was also of considerable assistance, with the support of the State Bar Association, in securing executive and legislative support for adequate judicial compensation and for the creation of a Judicial Compensation Commission.

Activity was begun by a newly-appointed committee on Mental Health, Alcoholism, and Addiction and by a Jury Study Committee, directed to review all facets of the jury system in Maryland. More will be heard from these two committees in Fiscal 1981.

Two committees reported to the 1980 Judicial Conference on matters of particular concern. One of these was the Committee on Structure and Role of the Executive Committee, established pursuant to action of the 1979 Conference, for the purpose of reviewing ways in which the Executive Committee could play a more effective part in representing all Maryland judges in the formulation of comprehensive policy recommendations affecting the judiciary as a whole, and in coordinating the ongoing work of the Conference and its numerous committees between annual sessions. This committee presented a report proposing a reorganization of the Executive Committee into the Maryland Judicial Council, which would have been a broadly-representative body elected by the judges of the several courts. Largely because of concern over the possible effect of this proposal on the future of the Conference of Circuit Judges, and on the similar informally-organized

group of District Court judges, the recommendations were referred to the Committee on Structure and Role for further study and report to the 1981 Conference.

The other committee to present a major report in 1980, although one not requiring action by the Conference, was the Committee on Public Awareness. This committee conducted a thorough study of the possibilities of extended media coverage (television, still photography, etc.) in the courts and presented recommendations supporting an experimental program permitting such coverage. These recommendations are now in the hands of the Court of Appeals, which held a public hearing on the matter on June 24, 1980.



Conference of Circuit Judges

The Conference of Circuit Judges was established on November 27, 1978, pursuant to Maryland Rule 1207. It succeeded the Conference of Circuit Administrative Judges. The Conference has sixteen members comprised of the eight Circuit Administrative Judges and one judge from each of the eight circuits elected for a two-year term by the judges of that circuit. The Chairman is elected by the Conference for a two-year period.

The Conference of Circuit Judges was established to address a concern of Maryland's circuit court bench that some voices were not being heard and issues were not being discussed sufficiently by the former eight member body of circuit administrative judges. The expanded body is viewed as being in a position to give the circuit courts a broader voice in the administration of the judicial system. During Fiscal 1980, the Conference met five times and addressed issues of concern to the circuit court segment of the judiciary.

Judicial Compensation

The need to provide an adequate level of judicial compensation again was the focus of attention be-

cause the objective had not been fully achieved during Fiscal 1979. The Conference worked closely with the Judicial Compensation Committee of the Maryland Judicial Conference and a committee of distinguished members of the Maryland State Bar Association to urge the Governor and the General Assembly to move in this direction. The combined efforts of all achieved an adequate level of judicial compensation this year.

Continuation of Services to the Courts by the Juvenile Services Administration

Though not a new issue, the Conference again received reports of staffing shortages in and possible budget cuts in court services by the Juvenile Services Administration. The Conference responded affirmatively by communicating its concern to the Governor and the Secretary of the Department of Health and Mental Hygiene not to cut court services. As a result of its effort, funds were restored to continue adoption, custody, and intensive treatment services specifically in Prince George's County and Baltimore City.

Urging Legislative Change in the Disposition Of District Court Fines Transmitted to the Circuit Court in Connection with Appeals In Criminal and Traffic Cases

The Conference supported legislation in the 1980 General Assembly to rectify a problem that circuit court clerks were having in handling District Court fines transmitted to the circuit courts in connection with appeals from that court in criminal and traffic cases. Chapter 556, Laws of 1980, attempts to rectify the problem. The subject covered by the law is reported in more detail in that section of this Report on "1980 Legislation Affecting the Courts."

Need to Establish a Uniform Policy and Procedure on Use of Interpreters

Reported problems of varying interpretations and the application of Section 9-114 of the Courts and Judicial Proceedings Article on the appointment of interpreters, caused the Conference to refer the subject to the Rules Committee of the Court of Appeals. Under consideration are such areas as qualifications and certification, procedures for appointment, responsibility for maintaining a directory and other related matters.

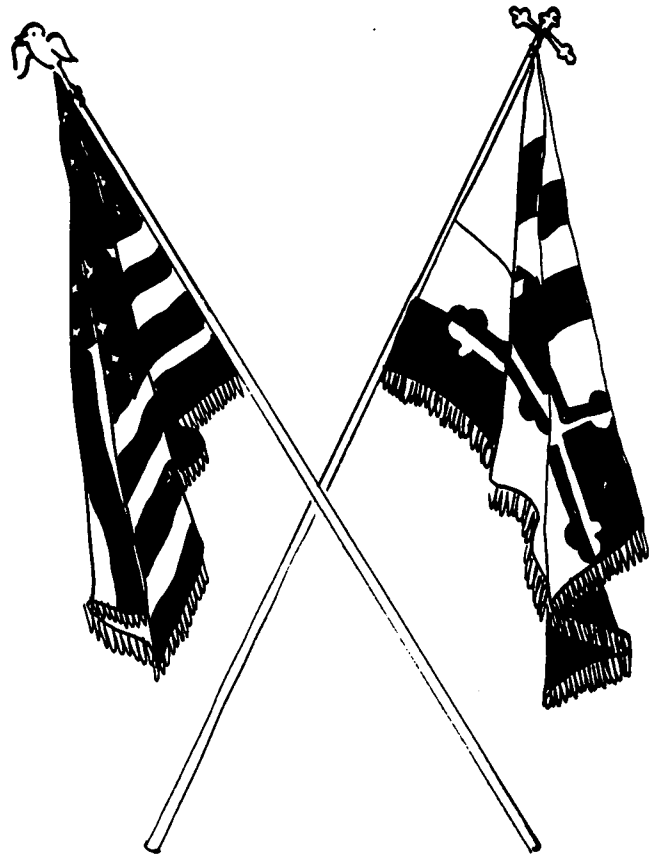
Referral of Court Administrative Issues for Study to the Maryland Judicial Conference

Under study at the publication of this report are four major areas for consideration and action that the Conference initially undertook but later referred to the appropriate committee of the Maryland Judicial Conference for a more comprehensive analysis.

The areas referred are: (1) the juror selection process, (2) the appropriate source of fees for court-appointed counsel in criminal cases when the Public Defender declines representation, (3) procedures for handling alleged violations of court-approved conditional releases of incarcerated individuals found not guilty by reason of insanity, and (4) procedures to assure that contempt proceedings in connection with non-support cases conform with due process.

Meeting with Criminal Justice Officials

The Conference met with the Chairman of the Maryland Parole Commission who presented concerns of that body in dealing with the complex parole determination process and requested judges to inform the Parole Commission of the reasons for imposing a sentence of incarceration to aid the decision-making process. Members met with the Director of the Division of Parole and Probation and heard of efforts of the Director to improve services. They also met with the Director of the Patuxent Institution who discussed the new role and responsibility of that Institution in handling incarcerated individuals deemed eligible for intensive treatment services. And lastly, the Conference met with the Chairman and the Executive Director of the Governor's Commission on Law Enforcement and the Administration of Justice who outlined the new role of the Commission and the status of litigation before the federal courts on prison overcrowding.



Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residence in Maryland for at least five years and in the appropriate circuit, district, or county for at least six months; registration as a qualified voter; admission to practice law in Maryland; and minimum age of 30. In addition, a judicial appointee must be selected from among those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how he is to go about exercising his discretion in making judicial appointments. Maryland Governors have themselves filled that gap, however, by establishing judicial nominating commissions.

Judicial Nominating Commissions

Before 1971, Maryland Governors exercised their power to appoint judges subject only to such advice as a particular Governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction

JUDICIAL NOMINATING COMMISSION STATISTICS
Judicial Vacancies Occurred and Filled in Recent Fiscal Years

		Court of Appeals	Court of Special Appeals	Circuit Courts/ Supreme Bench	District Court	TOTAL
FY 1976	Vacancies	1	1	14	8	24 ^a
	Applicants	10	7	106	85	208
	Nominees	5	3	45	27	80
FY 1977	Vacancies	0	0	6	15	21 ^b
	Applicants	0	0	36	94	130
	Nominees	0	0	15	32	47
FY 1978	Vacancies	1	3	17	9	30 ^c
	Applicants	13	25	130	150	318
	Nominees	5	12	47	40	104
FY 1979	Vacancies	1	1	7	11	20 ^d
	Applicants	4	25	38	67	134
	Nominees	4	6	18	31	59
FY 1980	Vacancies	1	0	13	11	25 ^e
	Applicants	5	0	87	135	227
	Nominees	3	0	27	28	58

^a In Fiscal 1976, four new vacancies occurred but were not filled until FY 77.

^b In Fiscal 1977, three new vacancies occurred but were not filled until FY 78. Four additional vacancies that occurred in FY 76 were filled.

^c In Fiscal 1978, all vacancies that occurred during the year were filled. Three additional vacancies that occurred in FY 77 were filled.

^d In Fiscal 1979, two additional vacancies occurred during the fiscal year, but were not filled until FY 80.

^e In Fiscal 1980, three new vacancies occurred during the fiscal year but were not filled during that year. Two vacancies that occurred in FY 79 were filled.

with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

These efforts bore fruit in 1970 when former Governor Marvin Mandel, by Executive Order, established a State-wide judicial nominating commission to propose nominees for appointment to the appellate courts, and eight regional trial court nominating commissions to perform the same function with respect to vacancies on the trial courts. These nine commissions began operations in 1971, and since then, each judicial vacancy filled pursuant to the Governor's appointing power has been filled from a list of nominees submitted by a nominating commission.

As presently structured under an Executive Order issued by Governor Harry Hughes on June 8, 1979, each of the nine commissions consists of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The State Court Administrator acts as a non-voting secretary to all commissions and the Administrative Office of the Courts provides all commissions with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the State Court Administrator notifies the appropriate commission and puts announcements in the press and through interested bar associations, seeks applications which are distributed to the commission members.

After the filing deadline for the particular vacancy has passed, the commission meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full commission or by commission panels. After discussion of the candidates, the commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot; no commission may vote unless at least nine of its thirteen members are present; the name of no applicant may be included on the list unless that applicant has the affirmative vote of not less than seven members of the commission. The list is forwarded to the Governor, who is bound by the Executive Order to make his appointment from the commission list.

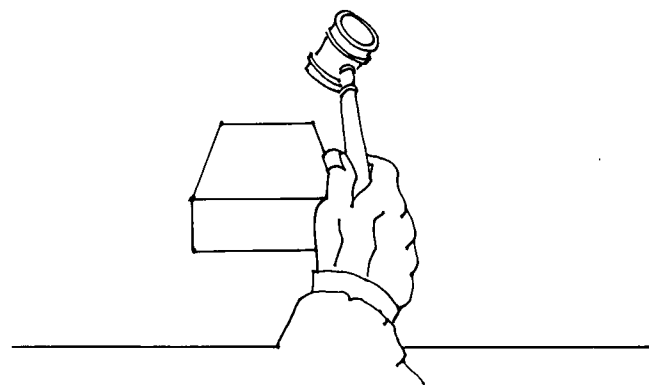
The nominating commissions had a busy year in Fiscal 1980. Because election of lawyer members and appointment of many new lay members occurred during the summer of 1979, a day-long orientation session for all commission members was held in Annapolis in September of that year. During the

Fiscal Year, all commissions but the trial courts commissions for the Second and Fourth Circuits met at least once. The total number of meetings was 27, almost double the number of meetings held in Fiscal 1979. The trial courts commissions for each of the Fifth and Sixth Circuits met seven times for the purpose of considering candidates for judicial office. The trial courts commission for the Third Circuit, while only meeting twice, conducted one meeting over a period of two and a half consecutive days, in order to consider almost 50 applicants for a single District Court vacancy in Baltimore County.

In Fiscal 1980, 25 judicial vacancies both occurred and were filled. The accompanying table gives comparative statistics over the past five fiscal years. Despite the occasional unusual situation, like the large number of applicants for the Baltimore County District Court judgeship just mentioned, as a general rule, the average number of applicants per vacancy and the average number of nominees per vacancy both remain rather small. Usually, there are more applicants for District Court vacancies than for circuit court vacancies, and slightly more nominees for each District Court vacancy as well. At both of the trial court levels, the average number of applicants and the average number of nominees increased in Fiscal 1980, as contrasted to Fiscal 1979. However, no trend can be identified at this point, since averages were greater than any average in several prior years. The tendency for more people to apply for a District Court vacancy than for a circuit court vacancy may reflect, among other things, concern with the elective process at the circuit court level.

With respect to the appellate courts, because relatively infrequent vacancies occur, the averages may not be too meaningful. Probably of more impact here is the time the vacancy occurs and the geographical location it involves.

Despite the heavy workload during the Fiscal Year, attendance at meetings was remarkably high and the commission members performed their important tasks with enthusiasm and dedication.





Removal and Discipline of Judges

Every Maryland judge is subject to mandatory retirement at age 70. In addition, judges of the appellate courts run periodically in non-competitive elections. A judge who does not receive the majority of the votes cast in such an election is removed from office. Judges of the circuit courts of the counties and the Supreme Bench of Baltimore City must run periodically in regular elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges face periodic Senate reconfirmation. Such a judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime. . . ."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity. . . ."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever . . . disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, Section 2 of the Constitution, as adopted in 1974, may provide an eighth method, as to elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a nolo plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth one has actually been used within recent memory. Since the use of this method involves the Commission on Judicial Disabilities, which also has the power to recommend discipline less severe than removal, it is useful to examine that commission.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: The Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand.

During Fiscal 1980, the Commission considered 32 formal complaints. Three of those complaints were initiated by Commission members, two by an attorney and the remainder by the general public. More specifically, some 18 judges sitting at the circuit court level were the subject of complaint, including four judges against whom two separate and distinct charges were made. At the District Court level, nine complaints were filed relative to

eight judges, one judge being the subject of two different complaints. In addition, a three judge panel of the Court of Special Appeals was the subject of one additional complaint.

As in past years, the majority or 14 of the complaints resulted from litigation over domestic matters such as divorce, child custody and visitation rights. Six complaints resulted from criminal cases, nine from civil suits, and three involved the general demeanor of particular jurists.

The Commission deals with formal complaints in a variety of ways. Oftentimes, the tapes or transcripts of judicial hearings are obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it. During this past year, for example, in three separate instances, judges made personal appearances before the Commission so as to respond to allegations directed against them. In most instances the complaints were dismissed either because the charges leveled were not substantiated or because they did not amount to a breach of judicial ethics.

Matters were likewise disposed of by way of discussion with the jurist involved or by informal private reprimand.

In addition to the formal complaints, the Commission consistently receives complaints both written and oral, that do not fall within its jurisdiction. Usually, disappointed and, at times, distraught litigants, mistakenly attempt to use the Commission as an appellate body. Those individuals are told of the Commission's limited jurisdiction and, where applicable, are advised of their right to appeal.

As a result of a recent amendment to Rule 1227 of the Maryland Rules, the Commission serves yet another function. Pursuant thereto, it now supplies judicial nominating commissions with confidential information concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least 15 years, and one lay person representing the general public.

**Remarks of Chief Judge Robert C. Murphy to the
Maryland State Bar Association, Inc.
Ocean City, Maryland
June 14, 1980**

Lord Byron once said that "Society is formed of two mighty tribes—the Bores and the Bored." I will do my best on this glorious Saturday morning to heed Byron's words, but remember please that you invited me for which, all kidding aside, I am most appreciative—particularly since, in the past, my remarks have been somewhat on the ponderous side—challenging—always challenging—the Association to rise to new and ever greater heights and to accomplish new miracles in the never ending quest to improve our profession and the functioning of the judicial branch of government. This year I declare a moratorium on that theme, in favor of what for want of a better term, I shall refer to as a Mini, Mini Report, the highlight and principal purpose of which is simply to express, on behalf of the State Judiciary, now 204 judges strong, with a supporting cast numbering into the many hundreds, our very deep thanks and grateful appreciation to you for providing so much of the strength—the heart, body and soul if you will, which fuels our cause and runs our engine.

It is easy for you to lose sight, not only of what you have done, but of the importance of what you have done. So let me touch briefly on just a few of your key accomplishments over the past year under the dynamic leadership of your President, Pete Moser.

Through your Special Committee on Judicial Compensation, chaired first by Vernon Eney and later by Norman Ramsey, **you convinced the Governor and the Legislature, at the just-concluded legislative session, of the compelling need to substantially increase the existing low level of judicial salaries to retain and to attract good judges.** This was no light assignment, and your committee was no mere paper committee, for the individual members worked and worked extremely hard on the judges' behalf. I do not want to dwell too long on a subject as mundane as money but without the expression of deep concern voiced by the Association, coupled with your forceful stance before the Legislature and its Committees, the increased level of compensation would never have taken shape. Your committee was also instrumental in the passage of legislation creating a Judicial Salary Commission, its membership to include a representative of this Association. The Salary Commission is a permanent body—its function to study and recommend proper judicial salary levels in the future, thus obviating the need for direct Bar Association involvement in this sometimes wrenching and emotional area of public and

professional controversy. I just want you to know that every member of the Judiciary is keenly aware of the Association's participation, and we thank you most sincerely for it.

Permit me to also express our gratitude to the Association for its singular achievement in bringing to near fruition the consolidation of the six courts comprising the Supreme Bench of Baltimore into a single court, to be named the Circuit Court of Baltimore, with one rather than the present six, elected clerks. This has been a goal which has long eluded reform-minded lawyers and judges. **Two years ago, when I spoke to you from this very same rostrum, I said that if Supreme Bench consolidation is to be achieved, this Association must step out front and lead the way, and indeed you did just that, artfully overcoming the political concerns which have plagued this legislation for so many years, thus assuring that the proposed constitutional amendments which lie at the core of the consolidation package will be placed before the people for approval on the 1980 election ballot.** It is critical that our citizens understand the importance of this great judicial reform and I am hopeful that the Association will appoint committees to call upon the media, to visit with civic and other groups throughout the State, to assure passage of the pending constitutional amendments in November. Please do not lose sight of the fact that Supreme Bench consolidation is a state-wide question with state-wide impact, and therefore to be voted upon by all registered voters in the State, and not just those in Baltimore City.

The Supreme Bench of Baltimore City is, of course, the largest trial court of general jurisdiction in the State and one of the largest in the nation. Its caseload is enormous, its management problems are equally colossal, and the impact of the work of that Bench is felt far beyond the City's boundaries. But **under the truly superb leadership of Administrative Judge Robert L. Karwacki, the Supreme Bench has accomplished near miracles in disposing of litigation since the decision of the Court of Appeals in the Hicks case,** with which you are all familiar. Through the diligence of the judges of the Supreme Bench, felony cases are now being brought to trial within 60 to 90 days of the first appearance of the defendant before the court—a tremendous achievement thought by many to be impossible of accomplishment—an accomplishment which has done much to aid in reducing the critical Baltimore City jail population, and bringing it into compliance with federal court orders. Through the management initiatives of

the Supreme Bench, the civil calendar is being given equal attention and civil litigation is being systematically disposed of on a current and timely basis.

We are grateful to the Association for so many other things that it is hard to know where to begin. **The support of the organized Bar has made the Maryland Attorney Disciplinary System one of the best in the nation**, and I cannot praise too highly all those who have devoted themselves and their valuable time to it—from the members of the Attorney Grievance Commission to all those who have performed so well as members of Inquiry Panels. All of us, of course, strive constantly to develop innovative improvements in the system and to that end, it is likely that the Court of Appeals will advance a proposal for the Bar's consideration to eliminate the function now served by the single judge at an evidentiary hearing in considering disciplinary charges approved for filing by the Review Board—the role of the single judge to be performed instead by the Inquiry Panel itself, and the matter, after approval by the Review Board, to be presented to the Court of Appeals on the record made before the Panel. Of course, no such change in the existing system will be undertaken without affording the Bar the fullest opportunity to present its views on the issue.

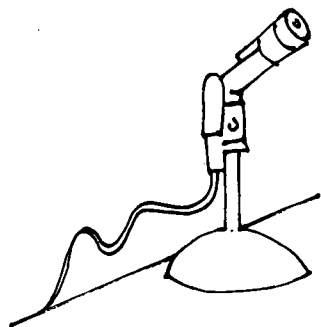
We are also grateful to you for the excellent reports of the committees, and the special committees of this Association, on law membership in the Attorney Disciplinary System and upon the Clients' Security Trust Fund, for the work of your Committee on Television in the Courtrooms, for the committees' reports on the use by lawyers of tradenames, and on the unauthorized practice of law to mention several. These reports are of invaluable assistance to the Court, pointing up as they do serious questions which require resolution, as promptly as possible.

While on the subject of television in the courtrooms, **the Court of Appeals will hold a public hearing on June 24 in Annapolis to determine whether it should modify the canons and rules of judicial ethics to permit extended media coverage of court proceedings on an experimental basis, permitting the use of still cameras, television cameras and sound pick up or recording devices in the trial and appellate courts with the consent of the parties to the court proceedings.** The Committee on Public Awareness of the Maryland Judicial Conference, under the chairmanship of Judge John McAuliffe of

Montgomery County, has submitted a detailed report on the subject, recommending that the experiment be conducted for 18 months in courts throughout the State and fully evaluated over that time span as the experiment progresses. This Association's views on the proposal have been made known to the Court, and we welcome the views of any lawyer, judge, or member of the media or of the public on the question. Despite rumors to the contrary, whether the Court will adopt the experimental proposal is very much an open question, one that will not be decided until a full airing of the issue is completed. We are presently awaiting the results of a questionnaire submitted to all Maryland judges, soliciting their personal views of the wisdom of permitting extended television coverage of court proceedings in this State.

With respect to legal education and admissions to the Maryland Bar, an in-depth review of the Court's rules governing this subject is, I believe, overdue, and to that end the State Board of Law Examiners and this Association's Section Council on Legal Education and Bar Admissions has suggested the immediate need for the appointment of a Planning Committee, ultimately to lead to an extended conference with court members and other decision-makers in this vital area of concern. Dissatisfaction has been expressed by some with the rule which requires domiciliary status as a pre-condition to admission to the Maryland Bar. In another matter, the rules governing the right of so-called out-of-state attorneys to take the short, special bar examination is also under attack. A suit is now pending in the Federal District Court in Baltimore, filed by a Maryland resident, a member of the Nebraska Bar, who for many years served in Washington as a federal Administrative Judge. Under the literal application of the current rule, as a majority of the Court sees it, this individual does not meet the requirement to take the foreign attorneys' examination because he has not been regularly engaged in the practice of law for 5 out of the last 7 years, as the rule requires and as the practice of law is thereby defined, nor was he thought to be a judge of a court of record, which would have qualified him under the rule to take the examination. The Federal Bar Association, representing 15,000 attorneys, including federal administrative judges, is now involved in the case and supporting the argument which seeks to nullify the existing rule, on constitutional and other grounds, because of its impact on individuals who in the main have devoted their professional lives to federal government service but do not appear to meet the precise requirements of the Court's rule for admission to the Maryland Bar.

There is also a widely perceived need to establish better procedures and guidelines respecting moral character fitness of applicants for admission to the Maryland Bar. Why should the existing rules permit two evidentiary-type hearings when an applicant's moral character is questioned—one by the



Character Committee, and another, *de novo*, by the Board of Law Examiners. It has been suggested that Character Committee review alone should suffice, with exceptions, if any, to be taken directly to the Court of Appeals, leaving the State Board of Law Examiners more time to pursue its more basic responsibilities. Again, the Association is likely to be asked for its views on the subject in the not too distant future.

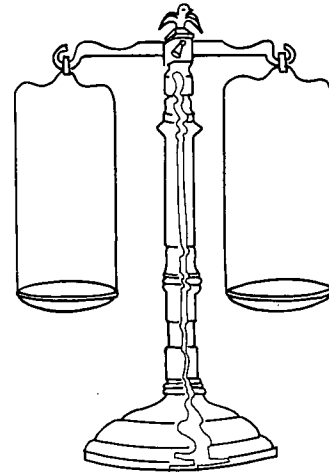
The Rules Committee will shortly resubmit for the Court's approval its Fifty-eighth Report recommending the rescission of all local circuit court rules and their replacement, where appropriate, with those formerly local rules which are deserving of statewide adoption. As resubmitted, the Report will be the end product of a six-year project—one of great importance to every Maryland practitioner. Some leeway is likely to be afforded in the rules in a few limited areas only, whereby the various circuits will be permitted a local option, such as, for example, the continuation, if desired, of the 48-hour rules—a rule admired greatly in some jurisdictions.

The reorganization of the Maryland Rules of Practice and Procedure into six titles is well on track and we are fortunate indeed to now have the full-time services, as the Reporter for this mammoth project, of Professor Larry Gibson of the University of Maryland.

In the last legislative session, I certified a need in the General Assembly for four additional circuit court judges and one district court judge, pursuant to a formula which we have devised for ascertaining new judge needs—a formula which, in my opinion, is conservatively structured and takes into account the fact that new judges are costly to the public and do not alone provide the answer to the systematic and timely disposition of litigation. The legislature approved only the district court judge, indicating, intentionally at least, that better management of our court system could alleviate the need for such additional judges. **While we fully appreciate the need for efficient utilization of federal man (and woman) power, we nevertheless will likely request additional circuit court judges in the 1981 session** (disclosing at that time, as we have in the past, the considerable extent to which we have used retired judges on a temporary basis to keep the courts fully operational).

In the main, Judicial Nominating Commissions have never worked better. **The exceptionally high-quality judicial appointments made by Governor Hughes has heartened lawyers interested in judicial office because it is now plain to all that Governor Hughes does not and will not look upon judgeships as patronage-type appointments.**

The not infrequent brushes between journalists, lawyers, judges, and the courts is, of course, an ever on-going fact of life. In a recent column, Peter Jay of the *Morning Sun* observed, I think correctly, that society eventually refers virtually every major public



question to the courts, and, hence, the deep and abiding interest of media representatives in court proceedings.

Judges, he said, do not have a high regard for the press. I do not think that is particularly true—what is true, in my opinion, is that there are a few media representatives—a very few—who on occasion badly abuse their noble calling—who do considerable damage—unfairly, unjustly, irresponsibly—to the valued reputations of some judges, and as a consequence to the general image of the judiciary and our profession in the mind of the public. What I am talking about cannot be lightly brushed aside with the observation that judges and lawyers are unduly sensitive. Granted that journalists, like lawyers, work under extreme pressure, facing one deadline after another, and granted that reams of copy are daily needed as grist for the mill, never, but never, can this justify the hastily prepared, entirely unresearched and wholly misinformed, so-called expose, which, by innuendo suggests or, even worse, lightly hints at improper, even criminal conduct, on the part of some judges, leaving the public to “chew” on the unsubstantiated generalizations and accusations, secure in the belief that *New York Times v. Sullivan* will provide the requisite insulation from even a weak cry that the media has exceeded its proper bounds. **It seems to me that irresponsible reporting that can do such damage should not go unanswered—not from the maligned judge, for we are helpless in the face of our code of judicial ethics, to defend ourselves—but from the Bar itself, which owes a duty to the public not to permit stories, which scream out for a response, to be accepted by the public as gospel for want of a defense.** In other words, silence on the part of the Bar in these circumstances is thunderous indeed, for it means to many that the judge must be guilty of the suggested impropriety—because he does not rise to deny it. God help us all if we ran our criminal courts on this philosophy.

I, therefore, call upon this Association to breathe new life into the activity of its Committee to defend against unjust criticism of judges—the Association's "Truth Squad" would perhaps be a more fitting name for a committee charged with the mission of ferreting out the truth and communicating it to the public when the occasion calls for it.

Two more observations and I am through. First, because I am not issuing challenges to the Association this year, I will say nothing to you about the dire necessity for a forceful campaign to remove circuit court judges from the contested election process. **While we have realized some very able judges through the political process, the balance is plainly on the side of retention elections for circuit court judges, consistent with the procedure followed for appellate judges.** The need for such reform grows greater with each passing day and, as the time nears to present a constitutional amendment to the people on the 1982 election ballot, I urge this Association to focus on the problem—as never before—and afford it the highest priority.

Lastly, the caseload of the Court of Special Appeals has run amok, and it is a matter of the largest concern to us all—one that has us scratching our heads in bewilderment, for the reason for the increase is not clear. We watched the caseload last Term suddenly shoot up 20%, almost evenly divided between civil and criminal cases. This year's projected activity suggests another 20% increase, and a total 1980 Term of over 2000 direct appeals.

I have a special admiration for the remarkable

judges of the Court of Special Appeals—under the relentless, driving leadership of its Chief Judge, Richard P. Gilbert—but as good as they are—13 judges divided into 2000 cases, equals a caseload per judge of impossible proportions. Indeed, we now have a minor crisis on our hands—over 200 appeals are to be heard this month alone in the Court of Special Appeals in order to complete the docket and 16 trial judges will be brought in to assist in their disposition.

We are seeking a solution and to that end, the Court of Appeals will likely adopt an experimental rule applicable in selected civil cases only, for a mandatory pre-argument conference, using retired appellate judges to conduct the conference. You are, or should be, familiar with this proposal, because it has been discussed in the past in this forum, and we realize it is not universally popular.

It is not, however, designed to operate as a heavy handed settlement conference, but rather as a conference to identify and sharpen issues early in the appellate process and to ferret out cases not properly appealable which now clog the Court's calendar. If the experiment does not work, it will, of course, quickly be aborted.

Your President, Pete Moser, asked me whether this Association should study the problem at this time. My answer was "No"—not at this time—but please stand by in the wings—we likely will need you.

Once again, thank you for inviting me, and I hope that I have not trespassed too severely on your time.

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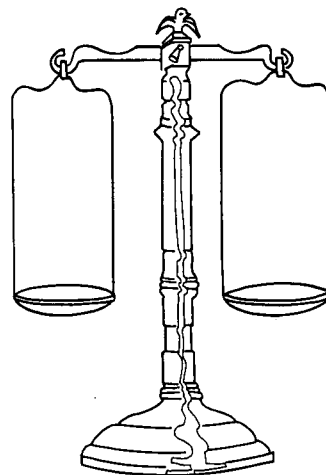
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I, therefore, call upon this Association to breathe new life into the activity of its Committee to defend against unjust criticism of judges—the Association's "Truth Squad" would perhaps be a more fitting name for a committee charged with the mission of ferreting out the truth and communicating it to the public when the occasion calls for it.

Two more observations and I am through. First, because I am not issuing challenges to the Association this year, I will say nothing to you about the dire necessity for a forceful campaign to remove circuit court judges from the contested election process. **While we have realized some very able judges through the political process, the balance is plainly on the side of retention elections for circuit court judges, consistent with the procedure followed for appellate judges.** The need for such reform grows greater with each passing day and, as the time nears to present a constitutional amendment to the people on the 1982 election ballot, I urge this Association to focus on the problem—as never before—and afford it the highest priority.

Lastly, the caseload of the Court of Special Appeals has run amok, and it is a matter of the largest concern to us all—one that has us scratching our heads in bewilderment, for the reason for the increase is not clear. We watched the caseload last Term suddenly shoot up 20%, almost evenly divided between civil and criminal cases. This year's projected activity suggests another 20% increase, and a total 1980 Term of over 2000 direct appeals.

I have a special admiration for the remarkable

judges of the Court of Special Appeals—under the relentless, driving leadership of its Chief Judge, Richard P. Gilbert—but as good as they are—13 judges divided into 2000 cases, equals a caseload per judge of impossible proportions. Indeed, we now have a minor crisis on our hands—over 200 appeals are to be heard this month alone in the Court of Special Appeals in order to complete the docket and 16 trial judges will be brought in to assist in their disposition.

We are seeking a solution and to that end, the Court of Appeals will likely adopt an experimental rule applicable in selected civil cases only, for a mandatory pre-argument conference, using retired appellate judges to conduct the conference. You are, or should be, familiar with this proposal, because it has been discussed in the past in this forum, and we realize it is not universally popular.

It is not, however, designed to operate as a heavy handed settlement conference, but rather as a conference to identify and sharpen issues early in the appellate process and to ferret out cases not properly appealable which now clog the Court's calendar. If the experiment does not work, it will, of course, quickly be aborted.

Your President, Pete Moser, asked me whether this Association should study the problem at this time. My answer was "No"—not at this time—but please stand by in the wings—we likely will need you.

Once again, thank you for inviting me, and I hope that I have not trespassed too severely on your time.

1980 Legislation Affecting the Courts

At every session of the General Assembly, much legislation is considered that affects the courts in one way or another. Space limitations preclude review of all these bills in this report. This summary is restricted to a few of the more important items. A more detailed summary of 1980 legislation is available through the Administrative Office of the Courts.

1. **Court Organization and Structure.** The principal achievements here are Chapters 523, 524, 525, and 526, Laws of 1980. This package of bills, including constitutional amendments and statutory implementation, effect the consolidation of the six courts of the Supreme Bench of Baltimore City. If the constitutional amendments are ratified by the voters in November, the consolidation will take effect in January 1983.

This major court organization reform has been urged by the Judiciary, bar associations, and governors as well as by various commissions, over a long period of time. The success of the 1980 effort, which also modernizes the constitution with respect to the automatic removal of civil cases, is due in large part to the effective work of Governor Hughes, with the strong backing of Chief Judge Murphy, the Maryland Judicial Conference, the Maryland State Bar Association, Inc., and the Bar Association of Baltimore City.

Subject to favorable action by the voters, this legislation will produce in Baltimore City a single circuit court, like the circuit courts existing in the other 23 subdivisions in Maryland. Most of the supporting services of the court will be grouped in a merit system clerk's office.

Chapter 266 creates a much-needed additional District Court judgeship in Howard County, effective July 1, 1980. The Chief Judge of the Court of Appeals had certified the need for this judgeship, but the legislature did not adopt his recommendation for additional circuit court judgeships in Anne Arundel, Baltimore, Montgomery and Washington Counties.

2. **Court Administration.** Chapter 378 substitutes "good cause" for the "extraordinary cause" required for postponement of a trial beyond 180 days from arraignment in a criminal case, thereby superseding the inconsistent provisions of Maryland Rule 746.

Chapter 423 provides that a juror in a state court is to be considered as an employee with the State for workmen's compensation purposes. It thus responds to the problem identified in *Lockerman vs. Prince George's County*, 281 Md. 195 (1977) in which the

Court of Appeals held that a juror injured during jury service is not an employee under the workmen's compensation law.

Chapter 556, supported by the Judicial Conference and the Conference of Circuit Judges addresses problems of the disposition of District Court fines on appeal to the circuit court. The major change is to provide that such fines, upon conviction, are to be treated as other fines imposed by the circuit courts in the exercise of their original jurisdiction. The effect, in most cases, will be to pay these fines to the political subdivisions instead of to the State.

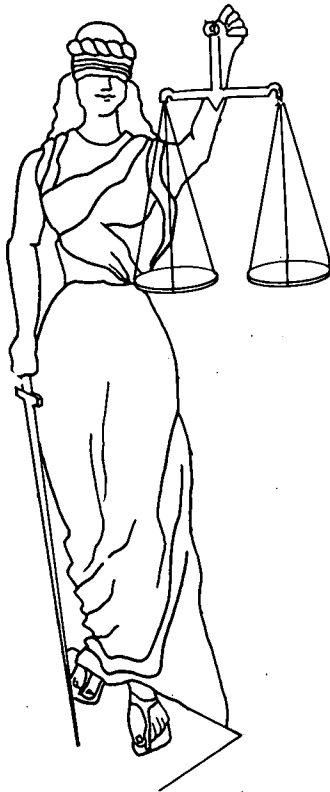
3. **Civil Law and Procedure.** Chapter 47, supported by the Judicial Conference for a number of years, permits the consolidation of cases pending in the District Court and a circuit court if they involve "at least one of the same parties" and "the same subject matter, issues and defenses arising out of the same circumstances. . . ." The bill permits the party who filed the District Court action to file a motion to remove it to circuit court for consolidation with the action pending there.

Chapter 546, a bill prepared by the Judicial Conference, simplifies the law given with exemptions from execution, and somewhat extends the availability of exemptions.

Chapters 698 and 798 deal with interest on judgments. The former amends section 11-301 (a) of the Courts Article to provide for an interest rate of 10 percent on a judgment in an action for bodily injury arising from motor vehicle operation if the court finds that the defendant caused unnecessary delay in bringing the matter to trial. The interest relates back to a time not earlier than the filing of the action. The latter act amends section 11-107 of the Courts Article to provide generally that the legal rate of interest on a judgment shall be 10 percent, with certain exceptions for money judgment for rent of residential premises (six percent) and interest on a money judgment entered in an action arising from a contract with a loan of money (the rate charged in the contract).

4. **Juvenile and Family Law and Procedure.** Chapters 34 and 304 have the joint effect of amending sections 3-810(h) and 3-812(b) of the Courts Article to extend the time for filing certain petitions in juvenile matters to 30 days from receipt of recommendations from the intake officer. These acts respond to the decision of the Court of Appeals in *In Re: James S.*, 286 Md. 702, 410 A.2d. 586 (1980).

Chapter 192 redefines "state" for the purpose of



URESA proceedings to include Puerto Rico, any Canadian province, and "any foreign country in which this or a substantially similar reciprocal law has been enacted."

Chapter 377 removes from juvenile jurisdiction the offenses of robbery or attempted robbery with a dangerous weapon by a child 16 years old or older.

Chapter 409 amends section 3-829 of the Courts Article to permit a juvenile court to order restitution by a child or his parents without regard to whether the child's act was wilful or malicious.

Chapter 414 extends personal jurisdiction over non-resident paternity defendants under certain circumstances.

Chapters 552 and 685 deal with appeal from decisions by an intake officer. The former clearly extends the right of appeal to both the victim and the arresting officer if the intake officer's decision is to deny the filing of a petition. The latter act provides a statutory form for notice to individuals entitled to appeal and for the appeal itself.

Chapter 575 is a detailed revision of the law of alimony, produced by the Governor's Commission on Domestic Relations Laws. The bill should be carefully consulted by those interested in this subject. It should be noted that while the bill is effective July 1, 1980, it applies only to cases filed after that date.

Chapter 697 deals with placement of children in emergency facilities under Article 59, section 22. In general, this bill tracks the procedures of Article 59, sections 27, 27C with respect to commitment of men-

tally disordered criminal defendants, and is reflected in amendments to Maryland Rule 915, effective July 1, 1980.

Chapter 787 establishes a juvenile crime restitution fund in Carroll County, to be administered by the circuit court for that county.

Chapter 887 grants the District Court and the circuit courts concurrent jurisdiction with respect to protection from domestic violence. It enacts a new subtitle 5 of Title 3 of the Courts Article, gives the District Court the powers of a court of equity under this subtitle, and allows a household member to file a petition alleging abuse (as defined in the act) against another household member. The court is empowered to take various actions to protect the affected household member from abuse including an order to refrain from abuse, an order to vacate the family home for a specified period, the award of temporary custody of a minor, and an order directing household members to undergo counseling. Expedited hearing procedures are specified.

It should be noted that SB 258, the Judicial Conference bill to decriminalize non-support, passed the Senate but failed in the House.

5. *Criminal Law and Procedure.* Chapter 298, introduced at the request of the Judicial Conference, modifies the effect of *Thompson vs. State*, 278 Md. 41 (1976) and *Hardy vs. State*, 279 Md. 489 (1977) by eliminating the common law right to jury trial at the circuit court level "unless the offense charged is subject to a penalty of imprisonment or unless there is a constitutional right to jury trial for that offense." The net effect is to eliminate the common law right to jury trial in most non-serious motor vehicle cases, plus a scattering of natural resources and minor criminal matters in which the statute in question does not authorize imprisonment.

Chapter 342 permits the Chief Judge of the District Court to authorize a commissioner to perform his duties with respect to more than one political subdivision.

Chapter 468 gives the District Court exclusive original jurisdiction over any violation of Article 27, section 141, whether a felony or a misdemeanor. This deals with false pretenses, bad checks, and the like.

Chapter 508 calls for the District Court to prescribe a uniform form of citations used as charging documents, but the act does not apply to parking violations, traffic offenses, or certain natural resources offenses. It takes effect January 1, 1981.

Chapter 656 adopts a state-wide intra-state fresh pursuit act.

Chapter 721 provides that if a person is convicted of driving intoxicated or driving impaired and placed on probation, or if a judgment is stayed under Article 27, section 641, then the court must impose a condition of suspension or probation requiring the defendant to participate in an alcohol treatment or education program approved by the Administrative

Office of the Courts unless the court finds and states on the record "that the interest of the person and the people of the State do not require the imposition of this condition." The Administrative Office has issued an Administrative Memorandum approving existing alcohol treatment or education programs.

Chapter 823 includes mental retardation within the definition of "mental disorder for purposes of Article 59, section 23-28 (insanity as a defense in criminal cases).

Chapter 840 corrects certain problems created by Chapter 724, Laws of 1979. The 1980 legislation permits a court to require that a competency evaluatee be confined in a hospital or medical wing or "other isolated or secure unit" in a jail or prison, pending evaluation. If no hospital or medical wing or secure unit is available, the court may commit the defendant "to an appropriate hospital or medical facility designated by the Secretary of Health and Mental Hygiene until the evaluation can be conducted."

Chapter 883 revises extensively the provisions of Article 43B, the comprehensive Drug Abuse Control and Rehabilitation Act.

Chapters 880 and 882 conform the provisions of Article 16, section 49, to section 4-305 of the Courts Article, as enacted by Chapter 711, Laws of 1979. In addition, both Article 16, section 49 and section 4-305 of the Courts Article are amended to require the Department of Health and Mental Hygiene to accept custody of a person committed under either section. The sections basically deal with commitment of alcoholics and addicts appearing before a court in criminal cases.

Chapter 874 attempts to regulate the manufacture, distribution, or sale of drug paraphernalia. The constitutionality of this act has been questioned in the United States District Court, which has temporarily stayed its operation.

In this area, too, it must be noted that several bills supported by the Judicial Conference were unsuccessful. These include SB 46, to permit certain appeals by the State in criminal cases, SB 241, to require that dispositions for incarcerable motor vehicle offenses be placed in the MVA computer, and SB 256, to permit the imposition of a greater sentence following a *de novo* appeal. These three bills passed the Senate, but failed in the House.

6. *Compensation and Pensions.* Included in the budget bill were increases in judicial salaries, providing more adequate compensation for Maryland judges.

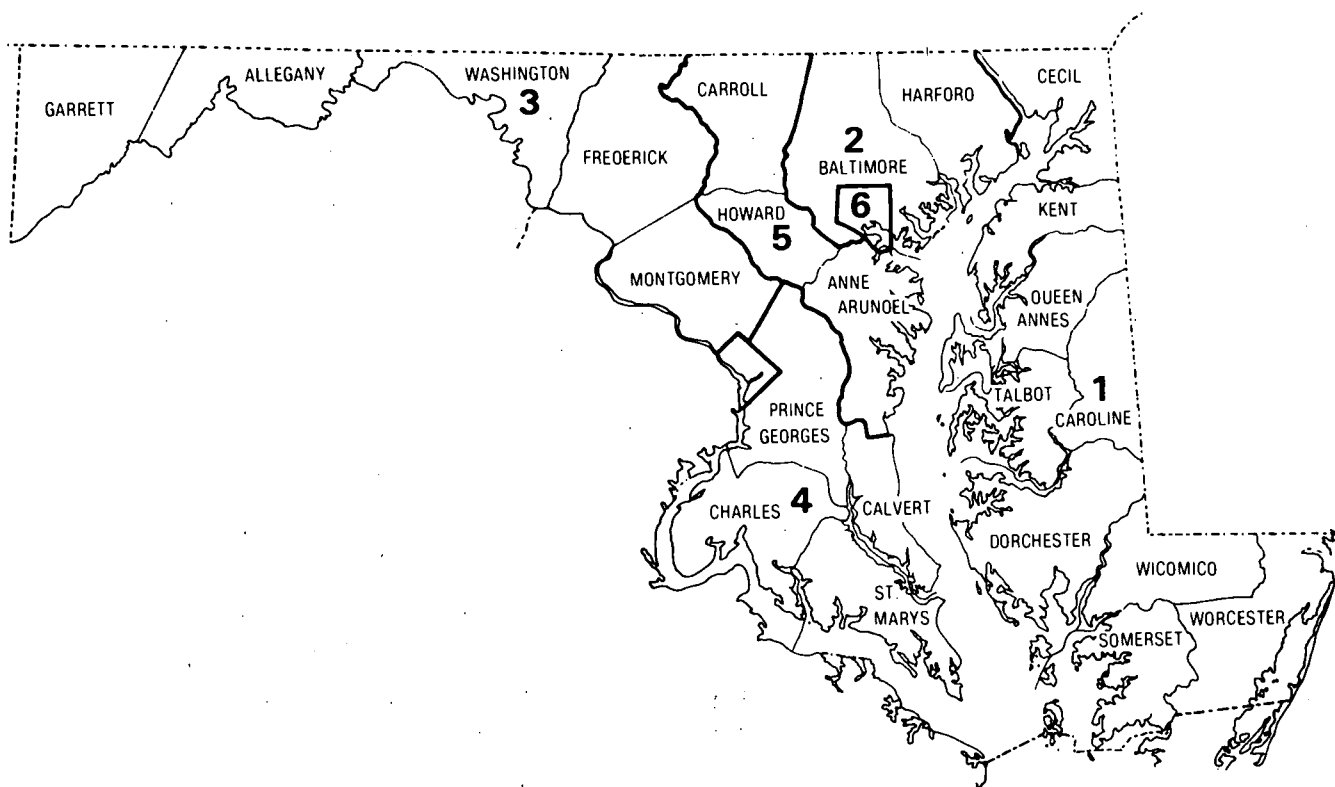
Chapter 440, another Judicial Conference bill, eliminates the provisions by which the spouse of a deceased judge was deprived of pension benefits upon remarriage.

Chapter 717 is directed to the need to maintain judicial compensation at an adequate level. It establishes a judicial compensation commission, to be appointed by the Governor, and to make recommendations, not later than November 1, 1980, and at specified intervals thereafter, with respect to judicial compensation and pensions. In the case of salary recommendations, these are to be introduced in the General Assembly as joint resolutions, may not be increased by the General Assembly, and become effective if the General Assembly fails to adopt or amend them within 50 days of introduction. Of course, the act makes no change in the constitutional provisions that prohibit the reduction of a judge's compensation during his term of office. This act was also supported by the Judicial Conference.

Its enactment, as well as the adoption of the budgetary salary increases, were greatly aided by support of the Maryland State Bar Association, Inc.

7. *Miscellaneous.* Chapter 33, another step in the code revision process, adopts a comprehensive new Financial Institutions Article.

Judicial Maps and Members of the Judiciary



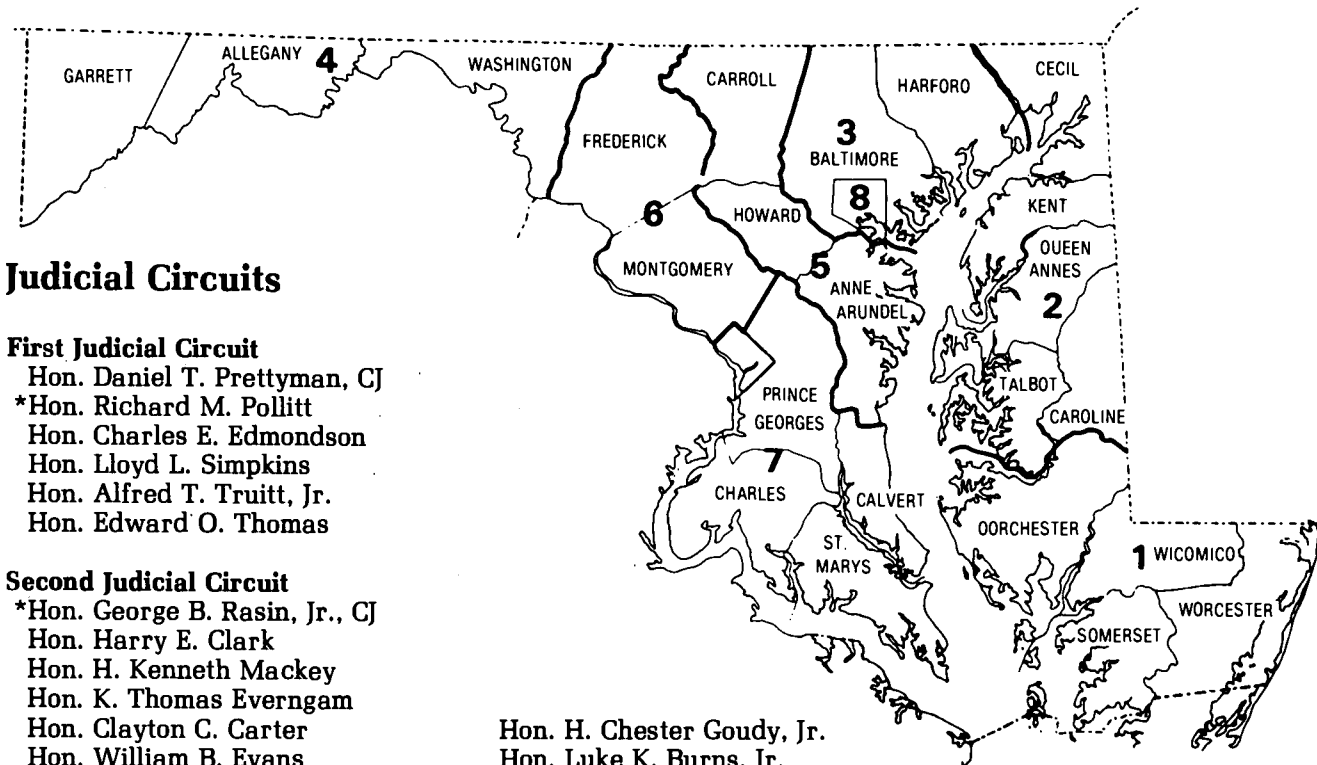
Appellate Judicial Circuits

Court of Appeals

Hon. Robert C. Murphy, CJ (2)
 Hon. Marvin H. Smith (1)
 Hon. J. Dudley Digges (4)
 Hon. John C. Eldridge (5)
 Hon. Harry A. Cole (6)
 Hon. Rita C. Davidson (3)
 Hon. Lawrence F. Rodowsky (6)

Court of Special Appeals

Hon. Richard P. Gilbert, CJ (6)
 Hon. James C. Morton, Jr. (5)
 Hon. Charles Awdry Thompson (1)
 Hon. Charles E. Moylan, Jr. (At large)
 Hon. John P. Moore (3)
 Hon. Thomas Hunter Lowe (At large)
 Hon. Ridgely P. Melvin, Jr. (At large)
 Hon. David T. Mason (At large)
 Hon. Solomon Liss (6)
 Hon. Alan M. Wilner (At large)
 Hon. James F. Couch, Jr. (4)
 Hon. H. Kemp MacDaniel (2)
 Hon. Edward O. Weant, Jr. (At large)



Judicial Circuits

First Judicial Circuit

Hon. Daniel T. Prettyman, CJ
 *Hon. Richard M. Pollitt
 Hon. Charles E. Edmondson
 Hon. Lloyd L. Simpkins
 Hon. Alfred T. Truitt, Jr.
 Hon. Edward O. Thomas

Second Judicial Circuit

*Hon. George B. Rasin, Jr., CJ
 Hon. Harry E. Clark
 Hon. H. Kenneth Mackey
 Hon. K. Thomas Everngam
 Hon. Clayton C. Carter
 Hon. William B. Evans

Third Judicial Circuit

Hon. John E. Raine, Jr., CJ
 Hon. Walter R. Haile
 Hon. Albert P. Close
 *Hon. Frank E. Cicone
 Hon. Edward D. Higinbotham
 Hon. Marvin J. Land
 Hon. Edward A. DeWaters, Jr.
 Hon. William R. Buchanan
 Hon. Brodnax Cameron, Jr.
 Hon. Paul E. Alpert
 Hon. Cullen H. Hormes
 Hon. Austin W. Brizendine, Sr.
 Hon. James S. Sfekas

Fourth Judicial Circuit

Hon. Harold E. Naughton, CJ
 *Hon. James S. Getty
 Hon. Frederick A. Thayer, III
 Hon. John P. Corderman
 Hon. Frederick C. Wright, III

Fifth Judicial Circuit

*Hon. E. Mackall Childs, CJ
 Hon. James L. Wray
 Hon. Morris Turk
 Hon. Nathaniel W. Hopper
 Hon. Guy J. Cicone
 Hon. Bruce C. Williams
 Hon. Raymond G. Thieme, Jr.
 Hon. Robert F. Fischer
 Hon. Donald J. Gilmore

Hon. H. Chester Goudy, Jr.
 Hon. Luke K. Burns, Jr.
 Hon. Martin A. Wolff
 Hon. Eugene M. Lerner
 Hon. J. Thomas Nissel

Sixth Judicial Circuit

*Hon. Joseph M. Mathias, CJ
 Hon. Samuel W. Barrick
 Hon. H. Ralph Miller
 Hon. David L. Cahoon
 Hon. John F. McAuliffe
 Hon. Philip M. Fairbanks
 Hon. John J. Mitchell
 Hon. Richard B. Latham
 Hon. Stanley B. Frosh
 Hon. William M. Cave
 Hon. Calvin R. Sanders
 Hon. Rosalyn B. Bell
 Hon. William W. Wenner

Seventh Judicial Circuit

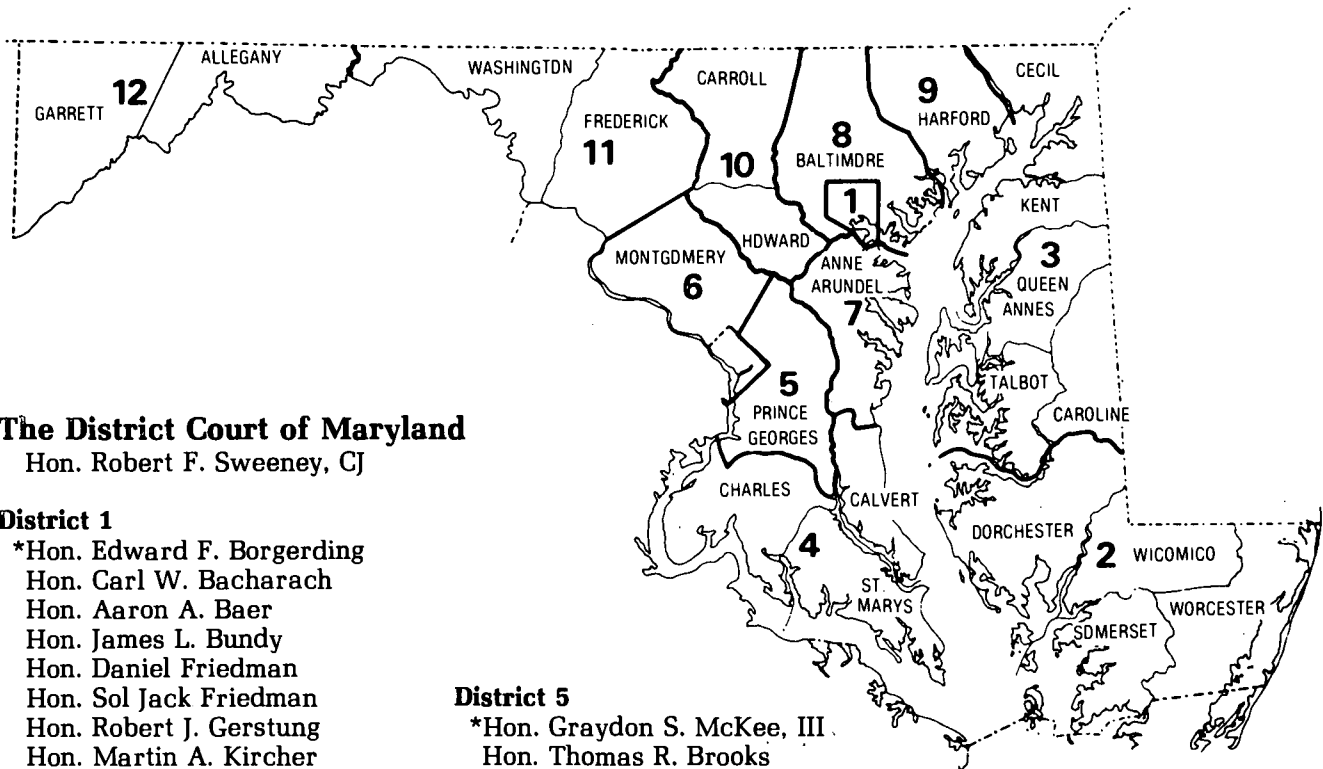
*Hon. Ernest A. Loveless, Jr., CJ
 Hon. Perry G. Bowen, Jr.
 Hon. Samuel W.H. Meloy
 Hon. William H. McCullough
 Hon. James H. Taylor
 Hon. Joseph A. Mattingly
 Hon. Jacob S. Levin
 Hon. George W. Bowling
 Hon. Albert T. Blackwell, Jr.
 Hon. Robert J. Woods
 Hon. Howard S. Chasanow
 Hon. Vincent J. Femia
 Hon. Robert H. Mason

Hon. Audrey E. Melbourne
 Hon. David Gray Ross
 Hon. James M. Rea
 Hon. Robert C. Nalley

Eighth Judicial Circuit

Hon. J. Harold Grady, CJ
 Hon. Albert L. Sklar
 Hon. James A. Perrott
 Hon. Robert I.H. Hammermar
 Hon. David Ross
 Hon. Paul A. Dorf
 Hon. Basil A. Thomas
 Hon. Robert B. Watts
 Hon. James W. Murphy
 Hon. Marshall A. Levin
 *Hon. Robert L. Karwacki
 Hon. John R. Hargrove
 Hon. Mary Arabian
 Hon. Martin B. Greenfeld
 Hon. Milton B. Allen
 Hon. Joseph H.H. Kaplan
 Hon. Edgar P. Silver
 Hon. Solomon Baylor
 Hon. Elsbeth Levy Bothe
 Hon. Robert M. Bell
 Hon. Peter D. Ward
 Hon. Joseph I. Pines
 Hon. M. Albert Figinski

*Circuit Administrative Judge



The District Court of Maryland

Hon. Robert F. Sweeney, CJ

District 1

*Hon. Edward F. Borgerding
 Hon. Carl W. Bacharach
 Hon. Aaron A. Baer
 Hon. James L. Bundy
 Hon. Daniel Friedman
 Hon. Sol Jack Friedman
 Hon. Robert J. Gerstung
 Hon. Martin A. Kircher
 Hon. I. Sewell Lamdin
 Hon. Harold Lewis
 Hon. Vern J. Munger, Jr.
 Hon. William H. Murphy, Sr.
 Hon. Alan M. Resnick
 Hon. Jerome Robinson
 Hon. Henry W. Stichel, Jr.
 Hon. James J. Welsh, Jr.
 Hon. Joseph A. Ciotola
 Hon. Hilary D. Caplan
 Hon. Allen B. Spector
 Hon. Blanche G. Wahl
 Hon. Richard O. Motsay
 Hon. Neal M. Janey

District 2

*Hon. William B. Yates, II
 Hon. Robert D. Horsey
 Hon. D. William Simpson
 Hon. Dale R. Cathell

District 3

*Hon. Kenneth A. Wilcox
 Hon. Walter E. Buck, Jr.
 Hon. William D. Gould
 Hon. John C. North, II
 Hon. L. Edgar Brown
 Hon. John T. Clark, III

District 4

*Hon. William O.E. Sterling
 Hon. Richard John Clark
 Hon. Larry D. Lamson

District 5

*Hon. Graydon S. McKee, III
 Hon. Thomas R. Brooks
 Hon. Sylvania W. Woods
 Hon. Irving H. Fisher
 Hon. Francis A. Borelli
 Hon. Bond L. Holford
 Hon. Louis J. DiTrani
 Hon. Bess B. Lavine
 Hon. Joesph S. Casula

District 6

*Hon. Stanley Klavan
 Hon. L. Leonard Ruben
 Hon. Douglas H. Moore, Jr.
 Hon. John C. Tracey
 Hon. Charles W. Woodward, Jr.
 Hon. James S. McAuliffe, Jr.
 Hon. Irma J. Raker
 Hon. Thomas A. Lohm
 Hon. William C. Miller

District 7

*Hon. Thomas J. Curley
 Hon. Robert S. Heise
 Hon. Vernon L. Neilson
 Hon. George M. Taylor
 Hon. Robert N. Lucke, Sr.
 Hon. Arthur A. Anderson, Jr.

District 8

*Hon. William T. Evans
 Hon. J. William Hinkel
 Hon. Edward D. Hardesty
 Hon. James E. Kardash
 Hon. Werner G. Schoeler

Hon. Fred E. Waldrop
 Hon. David N. Bates
 Hon. Gerard W. Wittstadt
 Hon. John P. Rellas
 Hon. John F. Fader, II
 Hon. William S. Baldwin
 Hon. John H. Garmer

District 9

*Hon. Charles J. Kelly
 Hon. Harry St. A. O'Neill
 Hon. Edwin H.W. Harlan, Jr.

District 10

*Hon. Raymond J. Kane, Jr.
 Hon. Donald M. Smith
 Hon. Francis M. Arnold
 Hon. Diane G. Schulte
 Hon. R. Russell Sadler

District 11

*Hon. J. Louis Boublitz
 Hon. Stanley Y. Bennett
 Hon. Daniel W. Moylan
 Hon. Mary Ann Stepler

District 12

*Hon. Lewis R. Jones
 Hon. Miller Bowen
 Hon. Milton B. Gerson

*District Administrative Judge



**Administrative Office of the Courts
Courts of Appeal Building
Annapolis, MD 21401
(301) 269-2141**